THE WEEKLY

REVIEW

Devoted to the Economic, Political and Social Development of China and its Intercourse with Other Nations

Dr. W. W. Yen on China's Problems

By Grover Clark

Personal Story of Experiences in Hands of Bandits

By J. B. Powell

The United States and the Permanent Court of International Justice

By H. F. MacNair

An Educational Chinese City

By Iting T. Wang

The Question of Foreign or Self-help for China as Editors See It

評論報 密勒氏

SATURDAY, MAY 19, 1923

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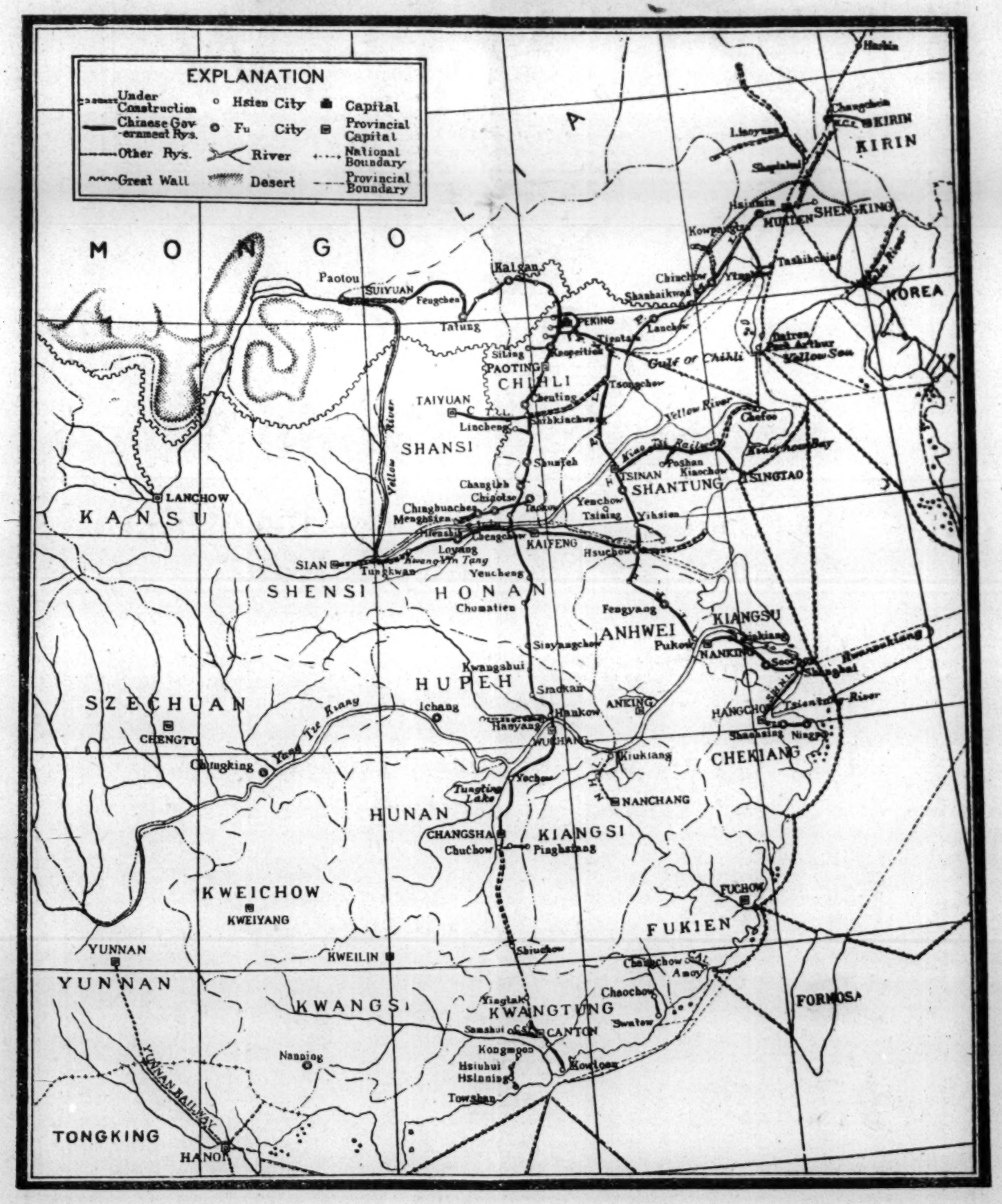

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LEGALIZATION OF BANDITRY IN ITS RELATION TO SAFETY OF CAPTIVES

SINCE they have an advantage, and know it, the Shantung bandits intend to use it to the fullest. Herein lies the prime obstacle in the way of the release of a group of foreigners who have been held captives since an express train was derailed for the purpose of wholesale looting and kidnapping a week and a half ago. The price for the release of these captives, as stated by the bandit leaders, amounts to the legalization of banditry in China. This means that banditry would have a recognized defined status, the members of the bandit armies being privileged to practice their trade or profession while enjoying an immuity from molestation from the military. It is almost inconceivable that such a condition could exist any where, but it does exist here. It exists to the extent of explaining why the foreign captives still are not free despite ultimatums to the Chinese government from the foreign diplomatic corps, and despite the efforts of various governmental functionaries and agencies and numerous relief bodies to release them through force or bargaining.

TWO questions arise the first being that of the release of these prisoners, and the second that of the status of affairs brought about by the conditions under which they are released. Of the two the first question is by far the more important at this time. It is so much the more important that the official American attitude is that only one question is to be considered, that only one exists, that being the immediate release of these captives. The second question undoubtedly is a very large one and a most serious one, but it can be considered after the captives are released.

A WEEK ago the chances seemed good for the early release of the captives through an agreement with the bandit captors, but the latest dispatches from the bandit headquarters of the relief workers and release mediators indicate that the stubborn attitude of the bandit leaders, as expressed through the sweeping demands they have made, has

developed an impasse. Tuesday saw a halt in the negotiations and the bandits have removed their prisoners some miles further back into the mountains, where they were last reported to be keeping them under a strengthened guard. Their action in this case seems to indicate a fear that efforts might be made to rescue the captives. They seem to be suspicious lest their startling demands should bring upon them a stronger attack than their present position would enable them to withstand.

JUST now such an attack as they seem to fear, from whatever source made, would be most dangerous. It in all probability would cost the lives of the prisoners, or at least a part of them and as long as there is hope that the captives may be liberated through bargaining, in the name of the sacredness of human life, the policy of negotiating should be continued. It is possible that threats that the captives would be slain is simply bluff, that the bandits would not dare chalk up against themselves such black marks for which they ultimately would have to pay a dear penalty, and there is doubt whether they would, but human lives are at stake and caution is the better policy, as long as there is reasonable chance of accomplishing the purpose in safety. It would be better to bring these captives out alive at the end of weeks or months of negotiations than to precipitate action that would result in their death, or that would bring about a grave danger of such.

THE BOLSHEVIST SEARCH FOR RECOGNITION

THE hint in a telegram the other day that the American government, in view of recent events, was considering the withdrawal of recognition from China, brings the subject of the recognition of governments to the public eye once more. The one government that has been striving by every means possible to secure recognition is the Bolshevist government at present in power in Russia, but so far it has met with very little success. When the Bolsheviks first started on their campaign to "reform the world," the *Review* refrained from the general campaign of denunciation of their methods, in the hope that out of much evil some good might result. In other words we wished to give them a chance, for, after all, it was quite evident that we were not living in the best of all possible worlds, and any effort to secure better conditions was to be encouraged rather than to be denounced. The Bolshevik regime has now done its best—and it is easy to see that that "best" could hardly be worse. Judged by the Biblical maxim, "By their fruits ye shall know them," it must be confessed that Bolshevism as applied in Russia has been a miserable failure. The steady stream of refugees that trickles out from the stricken land is in itself pathetic testimony to the sad state into which a great country has been dragged, and the evidence given by these refugees is ample that the Soviet regime is by no means representative and that it has only been able to keep on top by the simple means of seizing, holding and employing the few implements of military power which are still left to that stricken country. With a starving population, a peasantry sullen, suspicious and without hope for the future, the weary years drag on, while the Moscow government goes round the world hat in hand seeking everywhere to secure official recognition.

LUCKILY for the future good name of the principal civilized powers they have not succumbed to the blandishments of the Bolsheviks. The Moscow government does not try to condone or explain the murder in cold blood of hundreds of thousands of innocent people. All it tries to do is to inveigle the other governments into recognizing their regime. Some of the smaller countries have been won over with promises of economic advantages, but the chances are that they will in the end find that they have sold their honor for a worthless mess of pottage. Secretary of State Hughes has from the very outset been a staunch supporter of the idea that the Soviet regime could not be recognized under any circumstances. America's attitude has been this: If the unfortunate populace is starving, we will help to feed them, but to recognize the Soviet (the name that the Bolsheviks prefer to be known by because of the just odium that has attached to that word) government—never! To the suggestion that America by standing on principle would lose economic advantages, Secretary Hughes already several years ago bluntly stated: "Russia is a gigantic economic vacuum," and the truth of this fact was never more evident than at the present time. At the moment, the Soviets are working hard on the Japanese to secure recognition, the tempting offer being held out to the Japanese that they would be accorded valuable fishing rights. Notwithstanding, however, that to the Japanese people the question of fish for food is a very important one, the Japanese government has so far not seen fit to do the Moscow government the "honor" of admitting it into the company of the world's coterie of political gentlemen, preferring to take its chances on getting an adequate supply of fish elsewhere. The British attitude towards recognition is well exemplified by a recent cartoon in which a Bolshevik representative and Lord Curzon are the principal figures. Says the former: "Vy von't you recognize me?" The icy rejoinder of Lord Curzon is: "Because we *know* you."

THE great mystery to the world doubtless is how is it possible, granting that all that is said of the Bolsheviks is true, or granting that only a small part of it is true—for it to keep in power all this time. The answer is a very simple one. The situation is somewhat similar in Russia to-day to that which existed in Germany during the last six months of the war. The Russians outside of Russia understand the situation very well; they have access to reliable means of information. But the Russians in Russia have no conception whatever of the true state of affairs as regards their own government, because they are kept in the dark. They have been fooled into the belief that the majority of people want the kind of government they have got. The moment they realize the truth it will be a case of the Russian populace putting a stop to Bolshevism just as the German populace put a stop to the war—they will turn against the leaders who have dragged them into the morass, and insist that the mad career in which they have engaged shall come to an end. The greatest fear that the Soviet leaders have is that the Russian populace shall learn the truth. Hence the present censorship—far more rigorous than any that ever existed in the worst days of Czarism.

Personal Story of Experiences in Hands of Bandits

BY J. B. POWELL

The following account of experiences in the hands of bandits was written by J. B. Powell, editor and publisher of the Weekly Review, one of the captives, who sent his story out through relief workers and through Charles A. Dailey, correspondent for the Chicago Tribune, who forwarded it to the Weekly Review for publication here and for cabling to the Chicago Tribune.

Tuesday, May 15, *via* Dailey. Dear Dailey—We are now in a village called Bachuang. It is a small place which the captors assert was recently operated in and raided by Northern troops. It certainly looks like it since there are only a few houses with roofs on them. There is no food in this district which accounts for the raids on our food by the bandits. We are quartered in shacks which a self-respecting pig would scorn. Most of our captors wear pigtails and are a lousy lot. We marched seven miles on Monday up the valley over the divide and down another divide to this place. It is a beautiful valley, but there are very few people owing to the constant and frequent raids. There are poppies in cultivation along the road, and we are regaled nightly with constant opium smoking. Fortunately we have plenty of water from the springs hereabouts which we drink raw, having forgotten all about the germ contagion which will perhaps cause us sorrow later if held very much longer. We have checked over all our lists carefully and can find trace of only 16 foreigners. The only woman captive, Mrs. Verea, is suffering from stomach trouble but refuses to leave her husband. She had no clothes for several days but now has a suit of men's clothes which she begged from a bandit from his train loot.

We are constantly being harassed with orders and counter-orders to move. This morning they told us to get ready to move about 7 o'clock and after packing and getting Mr. Musso into a chair, we were ordered to stay a while longer. We continue to have much trouble with the bandits stealing our supplies from the rescue mission, due to, I suppose, their own lack of food. The bandits had no food all day yesterday until we gave them about half of our bread and crackers. This they used with our sardines and milk they had stolen. The old story of the Chinese who don't like foreign chow is pure bunk as we can all certify.

The bandits are still entertaining us with the curious uses to which they put our stuff stolen from the train. Our fountain pens are now cigarette holders. Our jewelry goes to purchase opium. One bandit wears a woman's blouse while another one has a woman's brassiere tied across his stomach to hold his loot. Miss McFadden's hat was worn by another until I begged it for my own use.

I must end this for the messenger is waiting. Regards to all, and appreciate your efforts. But for God's sake make our relief snappy. Mr. Musso says his condition is getting worse and that he can't stand any more moves. His family at home has been notified. Here is a list of captives and their home addresses: Major Allen, Tacoma; Saphiere, Gensburger, Elias brothers, are all from Shanghai; Ancira Verea and wife are tourists from Guadalajara, Mexico; Lee Solomon has a wife and child living at 437 Battery Street, San Francisco; Major Pinger, 2211 Blake St, Berkeley, Calif. with parents at 4036 Harriet Ave, Minneapolis; Marcel Oliver Berube, 174 Avenue Dumaine, Paris; William Smith, 52 Cross St., Manchester, age 63, touring China for health; Reginald Rowlatts, mother resides at 55 Lonsdale, Rd., Harbone, Birmingham; Leon Friedman, Brevoort Hotel, Chicago; Henley, Commadore, N. Y; J. B. Powell, Hannibal, Mo., relatives also at Quincy, Ill.

Message Received in Shanghai, Monday, May 14

Sunday morning, May 6 about 3:30 o'clock we were awakened by rifle fire. The train slowed down to about 10 miles an hour and then stopped, with a sharp lurch. My stateroom companion, Mr. Berube, a Frenchman, jumped down from his berth and we looked out of the window and saw men running toward the train from all directions and firing indiscriminately. We got our revolvers out of our bags and had no sooner done so than a rifle barrel was crashed through the glass on the inside of our compartment and our door was forced open. With two rifles pressed against our breasts we had no use for our revolvers, so handed them over. One of the bandits seized both my hands and finding a ring on one of my fingers nearly tore my finger off in his haste to get it. The same happened to Mr. Berube. The bandits ransacked our cabin, then left us. Fortunately, as soon as the bandits had passed on to the next compartment we put on our coats and trousers and looked out of the window. The night was bright moonlight and it looked as though at least a thousand men were running about the train, breaking open bags and suitcases. Several bandits then came back to our car and dragged us off the car and across the plain.

The commotion caused in the ransacking of the train was indescribable. Women were screaming, one woman's voice sounded above the noise as she screamed "Socony." We afterward saw she was a tourist from the United States and carried letters of introduction to Standard Oil men in China. Amidst the screams was the sound of breaking glass as the robbers broke in the compartment windows and dragged recalcitrant travelers out on the ground in their night clothes.

The countryside surrounding the train resembled a district recently visited by a cyclone. The robbers even dragged the bed clothes out of the cars and some of them were lugging the heavy mattresses along, but had to discard them owing to the rapid march.

The march from the train would have been worth a million to an American movie director. Most of the male passengers took the thing humorously, no one expecting to be taken but a short distance away while the work of rifling the train was completed. My compartment partner and I managed to keep together and after walking for about three miles we were attracted by the sound of a child weeping and calling for his father. We finally got our bandit partners stopped and took the little boy (son of Major Pinger of Manila) in charge. He was barefooted and in his night clothes. Finally he stumbled and fell and one of the bandits cocked his gun and pointed it at him. Mr. Berube jumped between them and lifted the little boy up and carried him for a considerable distance on his back. Finally we came to a group of women, all in their night gowns and barefooted, stumbling along weeping, across the stones and being prodded by rifles. The women were Misses Aldrich, McFadden and their maid. We remained with them until we came to some donkeys grazing by the road and put the women on and also the little boy we had picked up.

The road was directly up the side of a mountain, with embankments marking the boundaries of terraced farms. Some were so steep that the women fell off the donkeys as they went up or down the steep slopes. An old man, a Mr. Smith of Manchester, England, excited our pity as he attempted to cling to a donkey, but finally fell off and down a fifteen-foot embankment onto the stones at the bottom. He was in his pajamas and bare feet.

We were about half way up the mountain when daylight began to dawn, and then there was firing in our rear toward the train and suddenly the robbers changed their course and turned back down the mountainside and around the base of another mountain. This was all done on the run and anybody who stopped to remove gravel from his shoe or to nurse a bruised foot or ankle was prodded with a cocked rifle or pistol. We marched at the double-quick with bullets whistling overhead until we came to another mountain at least 5,000 feet high and in places as steep as a stairway. We were forced up and up without a stop until about 10 o'clock when we reached the top, which consisted of a crude fort with walls and rifle rests all about. We climbed or fell through the opening and fell in a heap in the first shelter. No one paid the slightest attention to the blazing sun, we were all so exhausted. We stretched out in all manner of positions and nursed our wounds with no attention to the bullets which were whistling overhead. There was no water for at least three hours and then the first jugful to come was gobbled up by the bandits. After we had rested a little we took stock of the injured and several of the men sacrificed their pajama shirts for bandages for the bleeding feet and sprained ankles of the women.

We were in the blazing sun and under fire all day and when one or two of the captives ever got together the bandits immediately got suspicious and made them move. About 4 in the afternoon a bandit arrived with some bread or cakes consisting of thin sheets made from kaoliang flour. Few cared for more than a mouthful and we all decided they had brought us strips of leather cut from our own traveling bags. A few minutes later another bandit arrived with raw eggs which were immediately devoured. Then we had a little water.

About 5 o'clock p. m. one of the chiefs arrived and asked us to write a letter to the Northern commander stating that all the foreigners would be killed at once if the firing didn't stop. In about a half hour after this letter had been sent the firing practically all stopped. Several letters to this effect were demanded and gotten by our chief. Finally the chief insisted on one of the women carrying a message and one woman, a Miss Corelli, an Italian, started out but was turned back.

We were all herded together and marched down the other side of the mountain at about 6 o'clock and herded along at the double quick over the mountain road strewn with boulders and sharp flint stones. This kept up steadily all night with only one hour's stop and when we got to the valley our misery was increased by a heavy downpour of rain. We were cautioned not to speak and the thoughtless ones were yanked up with a hand clapped over the mouth. We apparently were very near the relief troops for we could see lights and often hear voices in the distance. We had neither food nor water on this long march except when we stopped for the hour's rest and then we drank copiously from a foul vat standing near the wall of a village. None of us dared imagine what the vat was used for ordinarily. Finally we crossed a railroad and continued through the long night toward another range of mountains which we could see in the distance when the lightning flashed.

About 4:30 o'clock in the morning of the second day we reached another village at the foot of the second mountain chain and were herded into a corral and dropped to sleep at the foot of a hay stack. The yard was filled with bandits all drinking samshui and examining their loot—all of which we enjoyed, especially when some choice piece of jewelry or article of clothing belonging to members of our party came to light. Here we met Major Allen and his little son. The boy was practically exhausted and famished so we finally persuaded the bandits to get some tea. There was no food but we finally found one of the robbers with a can of sardines which he had found somewhere and gave it to the boy. Two of our captors, however, displayed a great liking for sardines and the poor boy didn't get the whole can.

This experience of the first day was practically the same with all parties only varying as to cruelties. Occasionally a robber would come along, more kind hearted than his fellows and we could beg an article of clothing or something needed to ease a pain. The bandits were nervous, constantly examining their guns and occasionally discharging them accidentally or at random. Every robber carried both a rifle and a pistol, most carrying a Japanese mark.

Later Information from Tsaochwang

The latest information coming from Tsaochwang is that concerning the serious dispute among the political leaders regarding who gets the credit for the release of the captives. Another cause given for the impasse in negotiations is the prospective rising of General Ho Feng-yu's Brigade which holds Southern Shangtung. The bandits are becoming more numerous fearing treachery on the part of the troops after the delivery of the hostages, with a possible raid for their rescue while the conference sits. This explains Tuesday's removal of captives further into the narrowing valley where it is difficult for Northern troops to attack. There were nearly 300 bandit chieftans conferring Tuesday to decide whether or not to deliver the captives without assurances more positive than those offered so far. The rescue mission remained awake all night, on Tuesday, May 15, becoming constantly more doubtful as to the outcome.

Previous to this, other reports had come to hand telling of the various groups of captives being separated and living at several miles distance from each other. The one group including Leon Friendman, Mr. Musso, Major Allen, J. B. Powell, L. Solomon, and Henley are living in a Buddhist Temple, about seven miles from Tsaochwang. Previous to the delivery of food supplies from the American Red Cross Relief stationed at Tsaochwang, the captives were living on "coolie chow," kaoliang bread, and tea as the liquid diet. However, late reports say there has been sufficiency of food and the treatment under the circumstances has been most favorable. Mr. Henley was sent out on parole to deliver messages re the negotiations and returned shortly after, as the lives of the other foreigners were staked against his return.

Snatches of other information regarding the condition of the captives were contained in a message sent out by Mr. Powell on Monday, May 14 and despatched through Mr. Dailey. "It is Sunday and we have been prisoners for one week which feels as though it is a year of long nightmare. Through the visits of Roy Anderson and Father Lenfers, the German priest, we know help is waiting only a few miles distant where Consul Davis is stationed. Dr. Mertens was the first foreigner from Shanghai, to get in and was like a long lost brother. He brought medical supplies and most of us were decorated like Christmas trees nursing our bruises feet and sprained ankles. Mr. Musso is unable to walk as he is troubled with his heart and his condition is most serious. Mr. Friedman and I have been with him constantly and have done our best to bring him around with our amateur treatment.

"During the first forty-eight hours the constant marching was indescribable and now we are all wondering how we ever survived; many of the older ones doubtless have many years shortened. Mr. Friedman, Mr. Musso, and Mr. Henley and myself have been together while Messrs. Solomon, Pinger, Smith, Berbure, and Powlatt have been in another group; Messrs. Gensberger, the Elias brothers, Saphiere and Allen in another; while Mr. and Mrs. Verea are still in another. The bandits are doubtless doing this to prevent all being recaptured at once.

"Since the very first day when we were constantly under fire the bandits have pressed us for letters to Northern officials demanding the Northerners to quit the districts Ton Men Kwan, Suai Chuan, and Pa Chuan, with our lives as the penalty. Once we were threatened being used for food for the bandits. I wish especially to emphasize with each group of foreigners there have been two or three Chinese who speak English and act as interpreters. These foreign educated captives have stuck by us faithfully often at a great peril to themselves. America should insist that these captives be released with us otherwise they may be killed because of sticking to us and having angered the bandits.

"The bandit gang is estimated from one to three thousand composed of ex-soldiers from all parts of China, also local villages and farmers from surrounding valleys. Apparently every man and boy in the valley carries a rifle or revolver and often both. Most of the guns bear Japanese marks although a number of them are Belgian and German and other European makes. The bandits were short of ammunition at first but now seem to have plenty which they probably purchased with the money they stole from us on the train. The valley stronghold is about thirty miles long and from three to eight or ten miles wide. Apparently there is no business except banditry and opium growing. Opium smoking goes on practically every night in our camp among the outlaws."

The United States and the Permanent Court of International Justice

BY H. F. MACNAIR

Lord Robert Cecil who sailed for England at the end of April after several weeks' visit to the United States declared his recent travels had convinced him that the majority of Americans are in favor of the League of Nations. Equally, or perhaps more, cheering is the news that President Harding has taken a definite stand favorable to America's participation in the new World Court. Many Americans have regretted a state of mind which has made it possible for the United States government to assume an attitude of aloofness in its political dealings with Europe. Senator George Wharton Pepper, Republican of Pennsylvania, is vigorously supporting President Harding's stand. Concluding a speech before the American Newspaper Publishers' Association in Washington some two weeks or so ago, he said: "Is it right, or is it not right that the United States should have a hand in promoting international adjustment through the beneficial work of a World Court? We are at a great moment in the history of the world and the United States should take cognisance of the importance of the decision."

Senator Pepper voiced the opinion of many thousands of his countrymen when he spoke as he did on the subject of the duty of America to participate officially and with its full strength in the settlement of international problems. The non-political aid in the form of money, food, and clothing given in great quantities by the American people during the post-war period to European and other sufferers has been a source of satisfaction to all concerned. But charitable aid cannot take the place of official support of the Government in healingthe wounds of the world. An ounce of governmental prevention is worth many pounds of unofficial cure.

Few realize how great has been the influence of the United States in bringing into being the World Court, or to speak more correctly, the Permanent Court of International Justice. Critics have at times opined that since there is the Permanent Court of Arbitration there is no need and no place for a World Court. The Hague Court, which was established by the first Hague Conference of 1899, despite its having been useful in settling eighteen cases is not really a court but a panel. The judges are chosen from the panel to try a particular case and consequently are not part of a permanent court. Before the Hague Conference of 1907 Secretary of State Elihu Root ordered the American delegates to try "to bring about a development of the Hague tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else, who are paid adequate salaries, who have no other occupation, and who will devote their entire time to the trial and decision of international cases by judicial methods and under a sense of judicial responsibility." [1] The British and German delegates aided the Americans but the scheme was temporarily wrecked over the question of the selection of judges.

A later scheme for a permanent court was supported by Secretary of State Robert Bacon, and by his successor Philander C. Knox. President Taft's administration came to an end, however, before anything was done. The Honorable Elihu Root and the Honorable James Brown Scott, bright lights in the Carnegie Endowment for International Peace, continued to work indefatigably for the formation of the Court, and in 1914 the Netherlands Minister of Foreign Affairs, Mr. Loudon, proposed to the leading nations a scheme for the creation of the Court. But the Great War intervened and for more than four years nothing could be done. An opportunity to continue the work came with the assembling of the Conference of the Allied and Associated Powers at Paris in January, 1919. Influence was brought to bear upon President Wilson and the Commission which was appointed to draft the Covenant of the League of Nations. The result was the inclusion of Article 14 of that Covenant which reads as follows:

"The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly."

Pursuant to the provisions here made the Council of the League shortly invited an Advisory Committee of Jurists to propose plans for the formation of the Court. This Commission was presided over by Baron Descamps of Belgium. It met in the Peace Palace at The Hague from June 16 to July 24,1920. The United States (for whom sat Mr. Root), Great Britain, France, Italy, Japan, Spain, Brazil, Belgium, The Netherlands, and Norway were represented on the Commission.

A "protocol of signature"—a special treaty—was drafted; annexed to it was the "Statute" containing three Chapters in sixty-four Articles. Chapter I. deals with the Organization of the Court; Chapter II deals with the Competency of the Court; Chapter III deals with the Procedure. "There is also inserted in the Statute, together with the Protocol of Signature, the so-called optional clause by virtue of which the States that have accepted it recognize the obligatory jurisdiction of the court upon the conditions which they have deemed advisable. For the other States, the jurisdiction is not binding." [2]

It should be noted here that the Protocol is *not* a part of the League of Nations Covenant but an independent treaty. Consequently participation by any state in the new Court is not limited to members of the League of Nations. Nor is approval of, or an intention to seek membership in that notable organization signified by those countries which become members of the Permanent Court of International Justice. At the end of the year 1922 forty-six states had signed the Protocol and thirty-five of these had formally ratified the treaty.

One of the obstacles met with in past years has been the jealousy between the great powers and the smaller states over the choice of judges—a condition of affairs which will remind any student of American government of the difficulties which faced the Fathers of the Federal Constitution when it came to smoothing away the difficulties resulting from the jealousies of the large and small Colonies. The great powers have insisted upon special recognition of their position in international affairs while the small ones have stood firmly on their rights as political entities of equal weight. Mr. Root's suggestion as to choice of judges was found acceptable by the Commission of Jurists who recommended the judges composing the permanent Court should be elected by an absolute majority of the Council of the League which is controlled by the great powers, and of the Assembly of the League which is controlled by the small states. Each body votes separately. "The voting in the Assembly and the Council is restricted in the first instance to a list of persons nominated by the various national groups composing the Permanent Court of Arbitration. Each of these groups may nominate four persons, not more than two of them to be of the group's own nationality. The electors are then directed to bear in mind that the whole Court should 'represent the main forms of civilization and the principle legal systems of the world'" [3] In case of failure to agree on the part of the Council and the Assembly the judges already elected may be authorized to fill the vacancies "from among those candidates who have obtained votes either in the Assembly or in the Council." Thus the face of both great and small states is saved and international jealousy is overcome—another contribution of the United States to the science of politics and international relations.

The term of service of a judge is nine years and he is eligible for re-election. The salary of an ordinary judge ranges from $6,030 (gold) to $14,070 (gold) according to the length of the sessions in which he participates.

The first election of judges took place in September 1921, eighty-nine names being on the list of nominees. Several ballots were necessary inasmuch as only fifteen—eleven judges and four deputy judges—could be elected. Those elected to membership in the first Court represented as many nations as there were judges, North and South America, Europe, and Asia being represented. Those elected were as follows:

President and Chief Justice

Bernard Cornelius Johannes Loder, formerly a judge of the Supreme Court of Holland.

Judges

Viscount Robert Finlay, formerly Lord Chancellor of England.
Dr. Andre Weiss, a distinguished French authority on Continental European law.
Commendatore Dionisio Anzilotti of Italy.
Dr. Rafael Altamirav Crevea of Spain.
Didrik Nyholm of Denmark.
Dr. Max Huber of Switzerland.
Dr. Yorozr Oda of Japan.
Dr. John Bassett Moore, Professor of International Law at Columbia Universitv, sometime Councillor to the Department of State, and Compiler of the *Digest of International Law* which is probably the most widely used work on International Law of the present dav.
Dr. Ruy Barbosa of Brazil, a judge well known in North and South America.
Dr. Antonio Sanchez de Bustamante, a judge, sometime President of the Cuban Society of International Law, and Representative of Cuba at the Peace Conference.

Deputy Judges

F. V. N. Beichmann of Norway.
Demetriu Negulesco of Rumania.
Michailo Jovanovich of Jugoslavia.
Dr. Wang Chung-hui of China.

Sessions of the Court are to be held annually opening on June 15, whether there are any cases to be tried or not. "The fact that such annual sessions are scheduled should have an important influence in the chancellories of the world, "says Professor Hudson of Harvard," just as the early meetings of the Supreme Court of the United States were important events in the life of the young Republic, though no contested case was heard until its sixth meeting."

The first session of the Court was held on February 15 1922, in the Carnegie Peace Palace at The Hague. "The city was ablaze with flags, bells pealed and special services were held in all the Catholic and Protestant churches in honor of an event universally considered one of the most momentous in tne latter-dav history of Holland. Representatives of the League, including Sir Eric Drummond and Sir Herbert Ames; the representative of the Geneva Labor Bureau, M. Villalonga, and the whole diplomatic corps assembled in the large Justice Hall, where the new court will sit. Amid an impressive silence the Judges and Deputy Judges walked into the court in a body in the black silk and velvet gowns and

1. Quoted by M. O. Hudson: Shall America Support The New World Court? *Atlanic Monthly*, January 1923, pp. 129-30.

2. Cosme De La Torriente: Cuba, Bustamente and the Permanent Court of International Justice: International Conciliation, Pamphlet No. 178, (Sep. 1922), p. 359.

3. Hudson, op. cit., p. 130.

black berettas specially designed for the new world bench. After the Dutch Queen, the Queen Mother and the Prince Consort had arrived, conducted by representatives of the Carnegie Endowment, the President of the Court, M. Loder, invited the Registrar to the swearing of the Judges. Each Judge rose in turn and repeated the oath, which was expressed thus:

"I hereby solemnly swear that I will always exercise impartially and conscientiously the duties conferred upon me as judge of the Permanent Court of International Justice." [4]

Unlike the American Supreme Court the new World Court did not meet six times before beginning to function. At its first session which opened on June 15, 1922, the Court gave consideration to two questions which had been submitted on May 12th preceding. Before the end of the session another question had been submitted. Two of these questions were submitted at the request of the government of France; the other at the request of the International Labor Conference. The Court is open to all the nations of the earth according to a decision of the Council of the League of Nations arrived at on May 17, 1922. Before its admission to the League Hungary appeared before the Court.

The reason why America has not earlier taken definite steps toward support of the Court is largely technical, not political. Speaking in Boston on October 30th last, Secretary Hughes said in part: "We favor, and always have favored, an international court of justice for the determination according to judicial standards of justiciable international disputes. I believe that suitable arrangements can be made for the participation of this Government in the election of Judges of the International Court which has been set up, so that this Government may give its formal support to that Court as an independent tribunal of international justice." [5] The question then that has faced the United States Government in its consideration of membership in the Permanent Court of International Justice is a means by which that Government can participate in the election of judges without committing itself to membership in the League of Nations. If Lord Cecil is correct in his diagnosis of the mental state of the American people in reference to the League this question may be easily solved. It may yet be doubted whether this is the solution however. Professor Hudson suggests the possibility of the United States' signing and ratifying the treaty by which the Court has been established, "with a reservation that the United States shall enjoy all the privileges enjoyed by any other state, and particularly the privilege of voting in the Assembly and the Council when those bodies act as the electoral bodies empowered by the statute of the Court to make the final choice of the judges..." In this he thinks all the other states which are party to the treaty would acquiesce. "We should not attempt to ignore the existence of such bodies as the Assembly and the Council, which has made it possible to have the Court; but we should limit our contact with them to the one function of electing the judges, in which they act wholly apart from their other activities...." [6] Whether the American government has adopted this or some other suggestion for the solution of the problem it may be assumed with a fair degree of confidence that the Republican party will take good care to avoid any semblance of the much-dreaded "entangling alliance"—that bug-a-boo which, like Shakspeare's lion among ladies, is such a dreadful thing. Americans abroad are not likely to cavil at any scheme which may appeal to the home government in its attempts to shoulder the burdens which always accompany world power.

Australian Egg Imports

One of the delegates to the Poultry Breeders' Interstate Conference, held at Sydney, Australia, in January 1923, passed around a sample of powdered yolk of egg from China. It was stated that the tariff had worked satisfactorily against Asiatic eggs in the shell, but dried yolks and dried whites were now being imported. One pound of the dry material was made up to equal 10 lb. with water, and was used for meringues and decorative work on cakes. Even with a duty of 3½d. per lb. this Asiatic product could be sold in Australia for 9d. a lb. whereas fresh whites from Australian eggs cost ½ or ⅓ more. In Canada, it was stated, shops using Asiatic eggs had to notify the fact, and its was decided to approach the State government with a view to having similar legislation introduced here. It was also decided to ask the Federal government to double the present duty on imported whites and yolks.

4. *Current History*, Volume XVI, No. 1 (April, 1922) p. 87.
5. Quoted by R. L. Buell: The World Tribunal in Action. *Current History*, volume 17 No. 3, p. 418.
6. M. O. Hudson op. cit. p. 136.

Dr. W. W. Yen on China's Problems

BY GROVER CLARK

"The real cause of the malady of the Chinese Republic lies deeper than is generally supposed. Most of the present difficulties can be traced back to the suddenness of the attempt to make a transition from the patriarcho-monarchical form of government, to which the Chinese people had been accustomed for centuries, to a republican form in the operation of which they had had no previous adequate preparation. Given time—and the opportunity for China to work out her problems without outside interference—and the adjustment will be made, the cause of the malady will be removed and the ill will disappear."

These are the words of ex-Premier W. W. Yen, spoken in the course of an interview granted me recently, in which he discussed somewhat in detail the developments in this country during the past nine months and expressed his views as to what the prospects for improvement were and how these prospects might be realized. But while Dr. Yen was brutally frank in his analysis of the weakness of China's present position, he was far from hopeless when it came to the possibility of improvement. It China can be given the chance to work out her own problems, undisturbed by foreign interference, he sees a real likelihood of the establishment of a strong and stable government in China, and the assumption by China among the nations of that place to which she is entitled by reason of her immense population, her resources, her long history of civilized life. Specifically, he said:

"What can the Powers do to help in the re-establishment of China and thus at the same time to help themselves and the peace of the world? What is to be done to prevent the further disintegration of China, to save her from becoming a sort of second Russia? It can never be repeated too often that the first principle is: China must be permitted to work out in her own way her salvation. The second principle is: there must be no taking of sides in China's domestic quarrels. The Powers have been patient with China; let them be patient a little while longer. Lastly, let them not waver in the principles agreed upon at the Washington Conference, for on the whole the great principles adopted there regarding China and the Far East are fair and sound. Once the Constitution has been substantially completed, the new Chief of State elected and a stable and effective Government organized, there will come over China a period of comparative tranquility and a change for the better at a rate of progress perhaps far exceeding our expectations—provided also that the Powers remain true to their often-ennunciated principles of policy toward China.

"When the political machine, which, having broken down is at a stand-still, begins to work more or less regularly," he continued, "then the government and the people will have some spare time for and interest in the drafting of plans for *permanent* improvement of conditions. These schemes—the most important of which would be the spread of general education and the development of industries, the one preparing the people to be members of a real democracy and the other relieving the struggle for existence which is in part the cause of the perennial popular disorders and political strife—these schemes, I repeat, cannot of course be planned or executed in a very short space of time. However fond be our hopes and however eager we may be to see China an ideal Republic, with her interests watched over by a perfect president supported by an ideal Cabinet and a faultless Parliament, all history and all human knowledge, past and present, teach us that decades at least are necessary to realize these hopes."

I

This summary of China's need and prospects came at the end of the discussion, during which Dr. Yen analyzed the events of recent months. Dr. Yen himself needs no introduction to readers in China. But it should be remembered that because of his intimate connection with affairs since his return from Europe in 1920, and the opportunities he has had since his voluntary retirement from public affairs at the end of last July, to follow developments without being in the actual thick of the fray, as well as because of the capacity he has demonstrated on various occasions to see through the superficial confusion to the fundamental problems, he perhaps better than almost anyone else in China today is in a position to make clear to non-Chinese exactly what the tendencies and prospects are. It was because of this that I sought an interview with him. It was because of his realization of the importance of helping to bring about a more accurate understanding of what and how great the problems of China are, that he consented to give the time and thought to the lengthy

discussion summarized below, and to permit the publication of his views.

Those familiar with events in China know, of course, that, since President Li dissolved Parliament in June, 1917, the argument has continued with more or less vehemence as to the constitutionality of the various governments in China, and of how an attempt was made to settle the question by the recall of President Li and the reconvocation of Parliament in Peking last summer.

"But," as Dr. Yen remarked, "it will serve no useful purpose to repeat the pros and cons of the constitutional question as viewed from, for example, the Peking or the Canton angle. Suffice it to say that all moderate, intelligent and patriotic persons were interested in such concrete questions as the reunification of the country and the disbandment of the surplus troops which might be expected to result from the settlement of the question. Any practicable scheme for bringing these things about, since the results would be of immense advantage to the country as a whole, would be jubilantly welcomed by the majority of the people whatever certain few might think. To the men of the sort I mentioned —and there are many in China—the question of whether the change would be to the adavntage or disadvantage of various highly-placed officials was of minor interest. If the country would be benefited, the sacrifice of individual interests, they felt, should not constitute an obstacle.

"Working from this position, several schemes were suggested. Among them was the election of a new Parliament (This was partially carried out in 1921, though those who were elected at that time did not get seats in the Parliament now sitting), and various Conferences for the discussion of national problems, disbandment, etc. to which from all parts it was hoped the military and other leaders of the country would come. No enthusiasm was shown for such conferences, however, and the proposals were dropped.

"Finally, the restoration of the 'Sixth Year Parliament' was mooted, and received the approbation of General Wu Pei-fu, then the principal figure in northern China. It was evident that such a step could not be carried out so long as Mr. Hsu Hsi-chang held the Presidency, and so, at the end of May, 1922, a series of telephonic messages were sent from Paotingfu, where General Wu was temporarily residing, to Peking, urging President Hsu to depart without delay.

"Acting on this 'advice', " Dr. Yen continued, "Mr. Hsu left for Tientsin, and the government was turned over to Mr. Chow Tze-chi (Premier, and consequently constitutionally authorized to act, with the Cabinet, in the absence of a President), and General Li Yuan-hung was urged to resume the Presidency. General Li had been in retirement in Tientsin since he resigned following the dissolution of Parliament in 1917. He came to Peking on June 11, 1922."

But what was his position?

"He was reasonable enough," Dr. Yen pointed out, "to announce in a circular telegram just before his re-assumption of office that he left the question of the legality of his step and of the length of his unfinished tenure of office to the decision of Parliament. The mandate issued by the Cabinet announcing his return to office emphasized the *de facto* as well as the *de jure* side. He is still in office, but Parliament has not yet taken any action on the length of his stay. President Li has, on at least one occasion, announced his willingness to retire at any time on the election of a lawful successor.

" Dr. Sun has since returned to Canton, and has set up an independent government there in the shape of an 'Office of the Generalissimo.' The Parliament which sat and supported him in Canton is now meeting in Peking, however."

Dr. Yen then spoke briefly of the Cabinet changes since President Li returned to office, culminating in the appointment of General Chang Shao-tseng, Minister of War, as Premier. He referred to the fact that the present Cabinet has received the approval of Parliament, and so, technically is in a stronger position than any that has served for some time.

II

After reviewing these facts, Dr. Yen proceeded to comment on the developments.

" High hopes were placed on the restoration of the so-called 'Constitutional Regime'," he said, " and it was expected by the more enthusiastic that reunion would immediately take place, that the Tuchuns would be abolished at once, the superfluous troops disbanded, finance re-organized, etc.—in short, that all China's ills would be immediately and permanently cured. As a matter of history; the two Speakers of Parliament, in their circular telegram at the end of May announcing the restoration of the ' Constitutional Regime ' practically assured the nation that the momentous step would at least re-unite the Republic.

"What has actually happened?" Dr. Yen continued. " The Manchurian provinces remain independent. In spite of the various shuffles at Canton there is no indication that Kwangtung will come into the Peking fold. Kiangsi was saved only by prompt and forceful action. Fukien's attitude is in doubt. Chekiang, displeased with the way in which the political change was brought about, has severed its relations with Peking. At one time it was thought that Hunan, Szechuan, Yunnan, Kweichow and Kwangsi might jointly announce their reunion with the Central government; but, instead, all these provinces re-affirmed their independance and the position of Szechuan is still uncertain in spite of the success of General Yang Sen.

"In brief: a year ago the Peking government did not control the whole of the Republic; today it controls much less."

This is a discouraging picture. I asked Dr. Yen if he saw any real hope of improvement. He thought he did, and, in explaining why, he brought out certain points which students of affairs in China need to keep carefully in mind.

"In China, as in other Oriental countries," he pointed out "men rather than principles or systems play the most important role, and personal relations rather than law exercise even today an influence unimaginable to the Occidental. This point cannot be overemphasized in discussing politics in China and in attempting to foresee its tendencies. Politics in China is largely personal politics. For this reason it is essential to understand something of the personalities involved."

Dr. Yen hesitated and smiled. "You will realize," he said, " that I cannot express my opinion of my contemporaries." I quite agreed, and were the report of this interview being prepared for publication abroad, some of the leading personalities would be considered here. In China, however, this is unnecessary. Let me, therefore, continue with Dr. Yen's comments on some of the problems these men will face.

"One important phase of the situation," he said, "is not sufficiently discussed on account of its delicacy. This is the attitude of the Powers and their supposed sympathy with this or that party in China. If we keep in mind the peculiar position of foreigners in this country, we realize that their passive or active support of any one group would have an importance not generally appreciated or understood. This support is perhaps imaginary only, but unscrupulous persons do not hesitate covertly or otherwise to advertise alleged foreign sympathy to bolster their cause.

"At any rate, one's duty is to warn the Chinese people and the foreign Powers of the danger, on the one hand, of soliciting and, on the other hand, of giving such partisan support. Whatever be the domestic quarrels, the Chinese should not ask the foreigner to take sides. Still less will the foreigner who is wise be anything but strictly neutral."

III

Dr. Yen then turned to a consideration of some of China's internal problems and of solutions for them that have been put forward from various quarters.

"The world and his wife," he said, "believe that the principal ill of China is the superfluity of soldiers. The different revolutions since 1911 have given occasion and pretext for swelling the central and provincial armies. No accurate figures are available as to how many 'soldiers' there actually are—estimates run all the way from less than a million to over two million. I should put the figure at somewhere near one million. But whatever their exact number, the armed forces are too large for the needs of the country and the maintenance of such forces not only is expensive but also puts dangerous power into the hands of unscrupulous military leaders. Disbandment thus is of the greatest urgency and importance. The Committee of Parliament in charge of drawing up the new Constitution has set a reasonable limit: that the expenses for military purposes shall not exceed twenty-five per cent of the national budget."

I asked Dr. Yen for further information as to how the armies became so large. His reply gave an interesting sidelight on one point at which Chinese politics differ from those in the West.

"In China," he said, "when a 'reformer' official is dissatisfied with an existing organization, system or institution, he does not propose its abolition, partial or otherwise, as would be done in America. If he be displeased with the personnel or present incumbents, he does not suggest they be dismissed or compulsorily retired. To do these things would involve interference with 'vested interests'—someone's rice-bowl would be broken.

This would mean unpleasantness with one's friends or one's friends' friends. It also would create a furore of opposition that might put to nought the reformer's really

sincere intentions to effect some improvement. He, therefore, leaves the old things severely alone and proceeds to build up a new organization. He thus is able to select his own personnel. This is well enough for the reformer, but it means that the government must pay twice for one service. Exactly this thing has happened, for instance, in connection with the police of Peking. Essentially the same thing has happened not only in the army but in many of the Government offices.

"This is one of the reasons why there are so many soldiers. Another—perhaps more important—is that practically every military official takes every excuse he can to add to the number of men under his command and so to strengthen his power. Nor has there been any man or group strong enough to stop this recruiting.

"When it comes to actual disbandment, there has been much talk—including a number of circular telegrams from President Li himself—but the effect has been *nil*. Ever since President Li returned to office, the number of troops probably has been increased. The difficulty is that disbandment presupposes reunification of some sort. No Tuchun, North or South, would care to start the ball rolling for fear that his province might be invaded—*a* reason—and that he would be the first man dislodged from his present post—*the* reason.

"This is why re-unification, real or nominal, seems so important. Without some sort of political understanding between the leaders, there can be no beginning of disbandment of troops, and until a strong, stable Central government be established, whose orders are obeyed throughout the length and breadth of the Republic, no scheme for permanent effective reduction of the number of soldiers can be honestly carried out.

"On the other hand, real re-unification will continue for some time to be a hope rather than an actuality so long as selfish and ambitious generals are enabled with their armed hordes to flout the orders of the Central government and the wishes of the people, and to entrench themselves in the provinces for their personal enrichment. Practically all of the troops, too, are many months in arrears with their pay. This gives another excuse for refusing to disband to the commanders who are even nominally under Peking's control. But the arrears total hundreds of millions of dollars. A demand for payment in full in cash is manifestly absurd, and no one expects that it can or will be entirely met.

"There is little doubt that some loan will be necessary for a genuine disbandment program to be carried through. But no foreign loan, it is said, will be given until there is re-unification of some sort. The problems, thus, move in a vicious circle, and little progress toward a satisfactory solution can be registered."

"Then what are the chances of re-unification?" I asked.

"Imagine yourself for a moment an 'independent' Tuchun, of the more selfish type," Dr. Yen replied. "Probably you would argue in some such way as this: My province is semi-independent; it detains at liberty revenues that by right should go to Peking and thereby increases its own income; it appoints or 'elects' whomsoever it will for its officials; it trades freely with its neighboring provinces; it enjoys all the advantages of the national railway, telegraph and postal services on the same basis and at the same prices as the 'loyal' provinces; it has no foreign frontier questions, no coastal dangers, no diplomatic complications. What, then, would be got by being 'loyal'? Very little, if anything whatever—except the taking by Peking of part of its revenues and interference by Peking in the distribution of patronage. Therefore, you would be likely to say: 'Let's wait and see.'

"Going one step further, we find that in some of the semi-independent provinces, there is, as a rule, no one man or group strong enough to decide what the province shall do. The 'wait and see' policy thus is not a policy but often a situation. The Central government has practically no influence or authority over an independent Governor, but neither has he much over his military subordinates. Each of these, having seized control, especially of the revenues, establishes himself as a sort of minor feudal lord. If the Presidential mandates are valid nowadays little beyond the walls of the Palace, the gubernatorial decrees are intended as it were only for the provincial capital. Even if the Governor would, he could alone make little real change in the 'independence' or 'loyalty' of his province, and there is as yet no other man or group of men who can do more."

"The importance of re-unification (of the nominal and superficial kind) has, however been somewhat exaggerated. As a matter of fact, the people of China are unified; only the ambitious and selfish military and political leaders prevent the realization of a formal political reunion, and these obstructionists will have to be gradually eliminated. Curiously enough, the members of Parliament sitting in Peking come from all the provinces, 'independent' or otherwise."

Dr. Yen then referred to the financial situation.

"The shocking results of this condition, as seen in the default of domestic and foreign loans due to the financial disorganization of the Republic, have attracted the attention of the world. International financiers, especially those now in the Chinese market, show a pessimism which is, however, not warranted by China's actual assets and indebtedness. China's financial position is sound. What is needed is first of all a more honest and modern administration. Given that, and a suitable apportioning of revenues between the Central and provincial governments, and China will be able to discharge all her liabilities. The budget of China is a mere bagatelle compared to that of other countries. There is plenty of wealth among the people, and the resources are enormous. The consolidation of the floating debts, and a special loan, fairly large, to help in restoring normal conditions are necessary. But after that there should be few further financial difficulties, as far as one can reasonably judge. In spite of war, famine and plague, the social, commercial and economic improvement of the country has steadily continued. The Customs revenue of last year exceeded that of the year before by over Hk. Tls. 4,000,000, while the railway revenues, notwithstanding the enormous difficulties of the principal lines, showed an increase of $ 1,400,000 in December of last year as compared with the same month of 1922.

I asked Dr. Yen next what might be expected from the Special Customs Conference.

"This Conference will be of great importance to China," he said. "It is much to be hoped that the Powers will send to this Conference as their representatives men of the very highest ability and experience in financial and international affairs. These men, too, should possess the capacity to see in the large the whole problem of China's finances in relation not only to the payment of the foreign obligations but also to the establishment of a strong and united Government in China. There can be no satisfactory development of China's foreign trade and no real clearing up of the possibility of serious trouble in the Far East until China gets on her feet. But this Conference, if it is to be a help and not a hindrance, will need to be extremely careful to maintain a strict neutrality between the various factions in China."

IV

The discussion next turned to the possibilities of improvement. Dr. Yen referred to the fact that China at various times in the past has had difficulties with intractable military leaders, swollen armies and financial stringencies. The elimination of these difficulties—as at the beginning of the Manchu dynasty, for example—took place by the gradual process of the transfer of all the power, military as well as civil, to civilians.

"Similar changes are going on today in the provincial appointments," he said, "and there can be no doubt of their final result, but time and prudence are necessary.

"The cause of the malady of the Chinese Republic is deeper than is generally supposed. The ills one hears of in the papers and speeches are symptoms only. The malady arose when the patriarcho-monarchical form of Government, to which the nation had been for centuries accustomed, was suddenly replaced by the republican form without previous education and without the necessary transitional periods. The laws of evolution hold good in the political as in the physical world. But evolution consists of a series of changes; it admits of no 'jumps' without serious disturbances.

In saying this, I do not mean to raise the question of the superiority of a republican form of government but only to point out that the transition, in China, was too sudden and ill-prepared. History has amply shown that disorders and disorganization are the inevitable concomitants of a revolution in any country, Occidental or Oriental. As a matter of fact, China is better off in this respect than was France during and after the First Revolution, or than Russia has been in our own times.

"Until new sources of good order, new ideas to bind men together in law-abiding societies, can be built up following a revolution, to take the place of the old standards and ties, disorganization is inevitable. But, with time and if there be no outside interference, order on the new basis comes.

"China is now passing through this period of transition. If she be given a fair chance, she will in due course come out on the other side of her valley of tribulation. It took France nearly one hundred years from the time of the First Republic to get a republican form of government solidly established. Why then, should we be so impatient with China—a country vastly larger and more complex than was France—because she has not remade the whole basis of her political life in a decade?"

Some of the specific plans for improving conditions then came up. The "restoration of the legitimate regime" has been tried during the past nine months—and so far has failed to reunite the country. Now the talk is of "provincial autonomy. This is so interpreted that, in the draft of the permanent Constitution which is being prepared by Parliament, it is provided substantially that each province may draw up its own constitution and form its own government as it likes—provided it is not in conflict with the national constitution—and elects its own officers. This taking of the power of appointment away from the Central government is a radical departure that many strongly oppose. In general, Dr. Yen pointed out, the North is in favor of a less decentralized system, while the south is for what is called in America "states' rights." There is the apprehension that if the permanent Constitution be adopted in the form prepared by the Committee during the past few months, the chasm between the North and the South will be widened instead of narrowed and one of the last hopes of bringing speedy reunification will have dwindled. The "brains" of the Parliament are now exercising their ingenuity to bridge the gap between the two systems.

Another remedy that has been proposed is a conference of the Northern and Southern leaders. Conferences have been tried—not only in China, Dr. Yen remarked.

"But one of the serious difficulties here today is that with only very few men who really represent anything or anybody but themselves, whose signatures to an agreement would mean the ability to carry it out, most of the leaders, especially in some of the provinces. have positions so precarious and their authority is rather limited so that it is believed more or less doubtful whether a conference attended by themselves or their most confidential delegates could really achieve tangible and lasting results.

"The saddest of sad things in China." he continued, "is that after a decade of struggle and attrition there have not arisen many leaders of even modest dimensions. China today is like a trayful of loose sand—without cohesion, without continuity."

Summing it all up, Dr. Yen declared that: "The problem of China today has become in a way less one of immediate nominal reunion of all the provinces than of the prevention of further disintegration of those parts still possessing a certain amount of cohesion under the control, as it happens of the Central Government. Whatever may take place"—he emphasized this strongly—"the integrity and continuity of Peking as central authority must be maintained; for once the latter be permitted or forced to disappear, one may expect the partial realization of that fatal expression current during Boxer days—'the break up of China'; with consequences to herself and to the world too direful to contemplate. Peking may be considered the sun of the Chinese political solar system and the provinces, some planets, others comets and meteors, which come and go, as it were, at their own free will. Let the sun disappear and the disorder in the firmament will be fearful and irreparable.

"The Chinese classics declare that when all resources are exhausted, then there will be a change for the better. We are now in the midst of the crisis—at the very bottom of the swing of the pendulum, and it seems impossible that the present disorganization can last much beyond 1923. The facts and an estimation of the prevailing factors appear to bear out, curiously enough, the superstitious belief now current among the Chinese people that this year, being the last of the cycle of sixty years is also to be the last of those that have been marked by increasing disorganization, and that the ascent will begin with the new cycle—and 1924."

I asked Dr. Yen at this point what the Powers could do to help. He replied in the words quoted in the third paragraph of the report of this interview.

And the man who said this, remember, has had long experience in the diplomatic service of China, has served his country as Foreign Minister and Premier during two of the most trying years of the Republic, was the guiding spirit behind China's representatives at the Washington Conference, has kept himself unsullied through it all and free from factional entanglements, and is today the man to whom more and more of the people of China are turning to take the lead in building up a truly democratic and united Republic of China which shall be strong in the best sense.

An Educational Chinese City

BY ITING T. WANG

Ningpo is a rich and well-known city in Chekiang, in the south-eastern part of China. The city was opened as one of the five treaty ports by the treaty of Nanking in 1842 as the result of Anglo-Chinese War on the opium question. Population in the city now runs to 600,000. The city is three miles from north to south and three miles from east to west. The housing problem is being seriously faced by the populace. Very recently the city authorities have decided to tear down the city walls. And the stones that built the walls will be sold to the Ningpo Y. M. C. A., the Hwa Mei Hospital, and some other educational institutions in the treaty-port.

The Ningponese are noted for business ability. They go everywhere in the country. In Shanghai, the Ningponese occupy 40 percent of the total population. A recent progress in the treaty-port is that of education. This Spring two new union institutions came up. The following is a survey by the correspondent after his two month's educational work connected with a union mission schools in the city of Ningpo.

I. Government Schools

The Fourth Chekiang Provincial Middle School was founded in 1905, formerly called the Shu-dzai School, in 1911, called the Fourth Provincial Middle School of Chekiang, Principal, Wang Chang-hwei. Students this term are 160; divided into four classes with forty each. Twenty-eight teachers. Budget for 1923, $15,768. Tuition and board per term, $27.00. Location, South Gate.

The Fourth Chekiang Provincial Normal School was founded in 1907. Tsu Wen-ts'ao is principal. Students number 193. Divided into five classes. Preparatory class 63; (1), 42; (2), 31; (3), 31; (4), 26. Budget for 1923, $29,329. No tuition; board, only $9.00 per term. Location, West Gate.

II. Public Schools with Partial Help from the Province

The Ningpo Commercial School, formerly known as the Ningpo College, was founded in 1915. Students number 186; divided into four classes. Chow Chuin-ts'an is principal. Teachers, sixteen. Budget for 1923, $6,000. Half of the budget comes from the province, and the rest from the districts (hsien) under Ningpo fu. Location near the Tao-tai yamen in the center of the city.

The Ningpo Technical School was founded in 1911. Chen Hsuin-tsing, a well-known Chinese scholar in Ningpo, is principal. Eight teachers and eighty-eight students. Students divided into classes (1), 15; (2), 19; (3), 18; (4), 38. Budget for 1923, $7,000. of which $4,000 comes from the province; $1,000, from the salt bureau; $1,000 from the rent; and $1,000 from the tuition. Tuition $22.00 for the (1), (2), and (3); $20.00 for the (4). Location at the Sz-cheo-tang, Settlement.

The Ningpo Girls Normal School was founded in 1911. Sz Choh-shwen is principal. Seventeen teachers. Students divided into five classes: (1), 46; (2), 31; (3), 19; (4), 9; (5), 7. Budget for 1923, $6,500. of which $3,000 comes from the province; $2,000 from salt bureau; and the balance from the tuition. Tuition, $12.00; board, $34.00 a year. Location, Choh-cheo, west gate, which is the best place in the city.

III. Private Schools

Yao-jih School was founded in 1911 by a group of scholars from Dz-chi, one of the districts in Ningpo. Chen Ch'ien-fu. a Christian scholar and who is now working in the Commercial Press at Shanghai, is principal. Teachers ten. Students 115; divided into four classes. (1), 47; (2), 35; (3), 17, (4), 16. No annual budget; but the Yao-Jih Association is responsible for the deficit. Tuition, $52.00; board, $36.00. Location, West Gate.

The Middle School at the Tinghai (Chusan) Public School was founded in February, 1922. Mr. Tong Tsing-an. who was for over ten years vice-president of the Shanghai College, is now the principal. There are thirteen teachers and 123 students. The students are divided into four classes: (1), 54; (2), 24; (3), 28; (4), 17. Budget for the year $5,900. Tuition, $8.00; board, $20.00; incidentals, $3.30; uniform, $5.00. Location, in the city of Tinghai.

IV. Mission Schools.

St. Joseph College (Catholics) was founded in 1902 by the French Catholic Mission. Father Shen Ichen is principal. There are twenty teachers and 137 students. Students are divided into four classes: (1), 39; (2), 26; (3), 35; (4), 37. Annual budget, $10,000,00. Tuition $12.00; board, $18.00. Location, Settlement.

The English Methodist College was founded in 1903 by the Methodist Mission in England. Rev. W. P. Bates, M. A,

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is the principal. There are eight teachers and 235 students. The students divided into eight classes: (1), 47; (2), 43; (3), 47; (4), 35; (5), 21; (6), 26; (7) and (8), 16. Budget for 1923 $12,000. Tuition and board from (1) to (4) are $80.00;, from (5 to (8), $70.00. Location at the Sz-chow-tang settlement.

The Ningpo Middle School is a new union institution started this spring, of the former two missionary academies at Ningpo, the Baptist and the Presbyterian. It is instituted according to the newly organized educational system in China with the Junior Middle School in the Baptist plant and the Senior Middle School in the Presbyterian. Rev. F. R. Millican is the principal of the Senior and Rev. F. C. Wilcox is the principal of the Junior School. There are 11 teachers in the senior school. One hundred students were registered in the three classes: (1), A. 21; B. 24; (2), arts, 19; commerce, 12; (3), arts, 9; commerce, 15. Tuition and board $40.00 a term for arts; $44.00 for commerce.

The Junior Middle School has 14 teachers and 176 students. There are three classes, and students (1) A, 24; B, 28; (2) A, 33; B, 36; (3) A, 25; and B, 27. Tuition and board, same as charged in the Senior middle school. Fund for year $4,000

The Riverside Girls Academy is also new union institution of the two girls academies, the Baptist (Sarah Bachelor Memorial School) and the Presbyterian. There are 67 students and 12 teachers. Four American ladies. Students are divided into four classes: (1), 32; (2), 20; (3), 13; and (4), 12. Budget for the year 1923, $9,776.00. Tuition per term $12.00; board, $18.00; incidentals $4.00; organ, $5,00: piano, $10.00; cooking $2.00; and laboratory, $1.00. Location, Salt Gate.

The Ningpo Trinity College was founded in 1883 by the Church Mission Society in England. Rev. W. S. Moule is the principal. There are forty-one students. Teachers combined with the higher primary and the theological seminary number three Englishmen and eleven Chinese. Annual endowment $14,000.00. Board and tuition per term from $18.00 to $30,00. Location, in the north Gate.

In addition to the high school education in Ningpo, there are twelve higher primary, and 283 lower primary schools under the Ningpo Educational Bureau's control. The following is the statistics showing the work last year.

Higher Primary Schools

Founded and supported by the District	4	(boys)
,, ,, ,, ,, private	6	,,
,, ,, ,, ,, the District	2	(girls)
,, ,, ,, ,, private	2	,,
	14	

There are 82 teachers for the above types of schools. Annual expenses for 1922 were $27,276.00.

Lower Primary Schools

Founded and supported by the District half day	4
,, ,, ,, ,, ,, blocks	82
,, ,, ,, ,, ,, private	189
,, ,, ,, ,, ,, private (girls)	5
	281

Teachers for the above types of schools number 517. Annual expenses for last year $11,290.00

The Ningpo Senior Middle School,
Settlement, Ningpo, Chekiang, May 5, 1923.

America Is Growing More Religious

Figures, made public recently in Washington D. C. by a statistician of the Federal Council of Churches, following an attack on the churches of the United States, shows that churches have made the greatest gains in their history during the last statistical year. The present membership of all religious bodies of the United States is given as 47,460,558 persons. During the year there was a gain of 5,591 congregations and 15,252 ministers. The shortage in clergy is not as great as the fact that there are 29,007 more congregations than ministers would indicate. The Roman Catholic Church shows a membership of 18,104,804. Evangelical Protestant churches show a membership of 27,454,080. The thirty bodies related to the Federal Council of Churches reports a total membership of 20,722,042 persons. The total religious constituency of the country is placed at 98,878,367 persons. Church officials define constituency to mean all baptized persons.

When the figures of the various churches are placed on a comparable basis through methods agreed upon by church government officials, the constituencies of the great bodies are as follows:

Protestant	78,113,481
Roman Catholic	18,104,804
Jews	1,600,000
Latter Day Saints (Mormons)	604,082
Eastern Orthodox (Greek and Russian)	456,054

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For further information address:

Superintendent of Nurses,
Peking Union Medical College,
Peking.

Standard Oil Representative Back from World Tour

Herbert L. Pratt, vice-president of the Standard Oil Company of New York, who recently completed a world tour on the *s. s. Laconia*, Cunard Line, with Mrs. Pratt and two daughters, had some interesting comments to make on the various countries he visited. Mr. Pratt expressed his regret in not being able to see more of China and Japan "but from many conferences with representatives of my company in those countries it would seem that there is little to be desired from America's standpoint."

"The Japanese, aside from a possible yellow sheet article now and then, seem most desirous of a friendly relationship with our country, and the fine co-operation of their government with their bankers and merchants in working out the question of deflation of prices seems to be improving their financial condition and credits in a splendid way.

"China we found still upset by her internal military activities, making our proposed visit to Canton inadvisable, but there would seem to be no reason to believe any of those activities were instigated by Japan or any other nation.

Defends Britain's Indian Policy

"I am convinced, however, that America's presence in the Philippine Island is having, and will continue to have, so long as we occupy them, a strong stabilizing effect on the whole of the Far East. With the British in Hongkong, the Dutch in Java and America in Manila it would seems as though the integrity of China might easily be maintained without much effort. At any rate if American foreign trade in the Far East is to be encouraged I know of no better way than to make of Manila a strong American commercial center.

"And speaking of Java, no one can claim to have traveled or to have seen the wonders of the world until they have seen that country and India. Little if any concerted unrest was apparent in that most fascinating country. As Americans, we were several times approached for encouragement by relatively small groups of disgruntled anti-British natives but as long as Britain maintains her policy of insistence on law and order and lets the natives work out their own salvation there should be no cause for apprehension.

"The methods of that maintenance of order may have seemed at the time rather severe to us Americans, but the results as shown in the attitude of the native Indians, compared with the intolerable insolence of the European spoiled natives of Egypt, left no question as to the advisability of such methods.

"Egypt and the Mediterranean ports seem commonplace and of little special interest after the wonders of the Far East. The outstanding impression there is the remarkable comeback of Italian industry under the able statesmanship of Premier Mussolini.

Oil Business in Far East

"As to the oil business in the Far East, never has the American oil industry been subjected to such strong competition as exists today. It is not generally appreciated that about 80 percent, of illuminating oil, which is the bulk of the business is sold in quantities of a gill or less. A small lamp full, sufficient to last through one night, is the average purchase. The result of such small retail trade, necessitating the handling by so many different parties, is a relative high price bringing a seven cents a gallon commodity in New York to a forty to fifty cent luxury in mid-China and India.

"Again, so much of the trade is by barter, a yard of cotton cloth for a peck of grain, and so forth, that there are relatively few coppers handy for that nightly gill of oil. And so it is that he who can give the most minutes of light for that same copper is the one who gets the business. I speak of this for the nearness to the market in point of production and factories of the Borneo and Sumatra oil fields would seem to almost prohibit any American participation in those markets.

"That so much American oil does find its way there is due, I believe, simply to superior quality of manufacture and better merchandising methods.

"If our own company is having, as it is, success in those markets, it is simply because our thirty years and more of experience has shown us the way, and the four to five hundred young American men scattered through the country are today 'carrying-on'; using native help for the most part and extending to those native employes the

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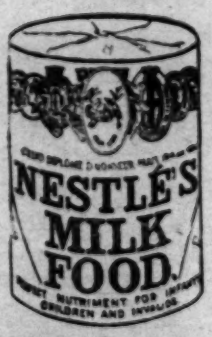

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Chinese in the Field of Journalism

Pei-yu Chien

Two Chinese students who have and are making themselves famous in journalistic work, Pei-Yu Chien, a native of Kiangsu, and Miss Eva Chi-yin Chang, a native of Shanghai, are planning upon completion of their studies in America, to devote their services and time to raising the standard of modern newspaper writing and editing in their own country.

Mr. Chien, was graduated from the School of Journalism of the University of Missouri, this Spring, and Miss Chang has just recently entered the School of Journalism at mColubia, Mo.

Mr. Chien was engaged in news writing before he left for America and was also formerly an employee of the Chinese Maritime Customs Service. In 1921, however, he was sent as Chinese delegate to the Second Press Congress of the World held in Honolulu and afterwards proceeded to Washington to cover the Disarmament Conference for his paper. Besides corresponding for his own paper, the *Social Welfare*, Tientsin, he also contributed a number of articles to some American newspapers. Following the close of the Washington Conference he decided to continue the study of journalism in America.

Mr. Chien entered the School of Journalism of the University of Missouri with advanced standing. He received the second prize in the *Weekly Review* essay contest in the Fall of 1922 and won the first prize in the same contest next Spring. Although he is educated largely in English, he decided to devote his labor to promoting Chinese newspaper business after his return sometime this year as he believes in journalism as an institution for public service and men are badly needed for the native press, as he sees.

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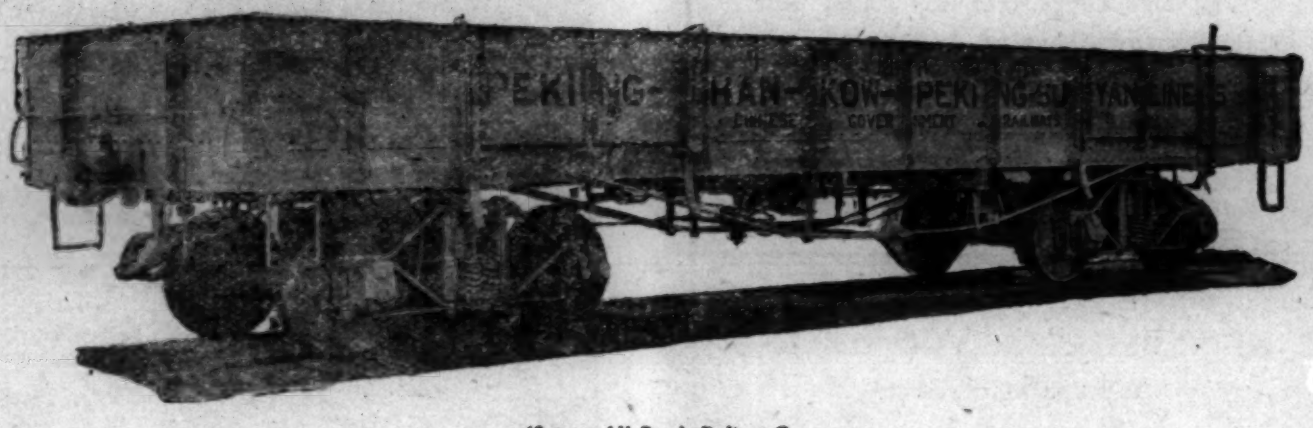

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Miss Eva C. Chang is the first Chinese girl who has entered the field of journalism, and has said she intends to gather together for herself all benefits, privileges and prestige as the first woman-journalist educated on modern lines.

Miss Eva C. Chang

Miss Chang is a graduate of St. Mary'y Hall in Shanghai and passed the tests at Tsing-hua College, Peking, for government scholarship to study in the United States.

Miss Chang arrived in the United States in 1921 and studied for one year in the Oberlin College, Oberlin, Ohio. Of late, she happily chose the profession of journalism for her future career and she entered the School of Journalism of the University of Missouri, the oldest and considered the best school of its kind in the United States. The decision is somewhat epochmaking in her life and many larger American newspapers and magazines published the news with the exclamation: "Another chunk of China's great wall has been pulled down!"

Miss Chang is considered by the American people as the most accomplished young lady from the old Oriental country and has already made herself very popular among the people of Columbia, Mo., where the Missouri University stands. She is a Christian, baptised after her arrival there.

Chinese Political Science Review

The *Chinese Social and Political Science Review*, for April 1923, is the quarterly organ of the Chinese Social and Political Science Association (Peking), of which the president is former Premier Dr. W. W. Yen. Since January of this year it is being edited by Dr. M. T. Z. Tyau, author of *China Awakened, London Through Chinese Eyes, Legal Obligations Arising out of Treaty Relations between China and Other States*, etc.

Present issue is intended partly to make up for the backwardness of the *Review* which appeared only twice in twenty-four months between 1921 and 1922. Present issue consists of two volumes: (1) The *Review* proper of 195 pages, consisting of contributed articles and proceedings of the Association, etc. (2) The Washington Conference Supplement of over 300 pages, comprising the texts in both English and Chinese of the treaties and agreement and resolutions adopted by the Washington Conference as well as the detailed Shantung treaties and Sino-Japanese Postal agreements signed in Peking last December. Among the contributed articles are:—

"Treaty Relations between China and Great Britain," by Dr. C. L. Hsia. "Chinese Emigration," by Prof. MacNair (St. John's University, Shanghai). "Ancient Chinese Philosophy," by R. F. Johnston.

"The Constitution of Hunan Provinces," translated by Professors Quigley and Yui (Tsing Hua College, Peking) and others.

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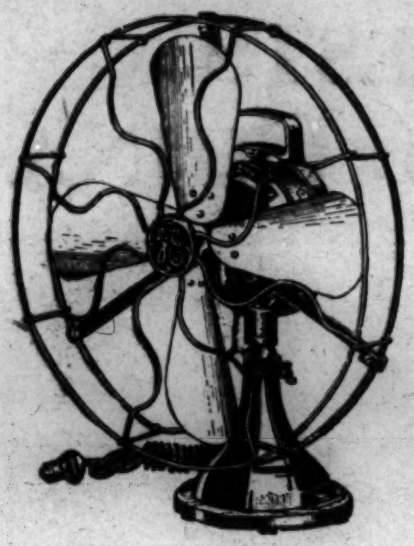

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Dr. Schurman, American Minister, in Shanghai

Dr. Jacob Gould Schurman, American Minister to China, arrived in Shanghai on Thursday, May 10, in company with Mrs. Schurman and niece, who are en-route to America. Dr. Schurman after a week's visit in Shanghai planned to depart on Thursday, May 17 for Peking. During Dr. Schurman's stay in Shanghai he was the guest of honor at several functions given by members of the foreign and Chinese communities of Shanghai. On Friday, May 11, a luncheon was given by the American Red Cross Central Committee in honor of Dr. Schurman, following which a garden party was given at the home of Mr. and Mrs. J. Harold Dollar. Consul-General and Mrs. Cunningham were hosts at dinner that evening to Dr. and Mrs. Schurman and Admiral and Mrs. E. A. Anderson; on Saturday, May 12, a luncheon was given by Admiral Anderson on behalf of Dr. Schurman, following which a reception was held at the Bureau of Foreign Affairs, Hsu Yuan, Commissioner of Foreign Affairs, and General Ho Feng-ling, acting as hosts. On Sunday morning May 13, Dr. Schurman delivered an address to the students of the Shanghai College, and during the afternoon inspected the buildings of the foreign Y. M. C. A. On Monday, May 13, the American University Club tendered a luncheon on the behalf of Dr. Schurman, and on Monday evening Consul-General Cunningham was host at a dinner to Dr. Schurman and the entire Consular body of Shanghai Consuls. On Tuesday, May 15, Dr. Schurman inspected the Shanghai river harbor arranged by the Whangpoo Conservancy Board and was guest of honor at a luncheon following this, by the American Bar Association of Shanghai. During the afternoon he attended a meeting of the American Chamber of Commerce. On Wednesday, May 16, Dr. Schurman made a visit to St. John's University and delivered an address to the student body. The Chinese Chamber of Commerce held a reception at the chamber's quarters, North Honan Road on Wednesday afternoon. On Wednesday evening, May 16, all members of the American government service in Shanghai, including the United States Consulate, United States Court, U. S. Commercial Attache office body, representatives of the public health service and navy and army were entertained at dinner at the Astor House.

Dr. Schurman Addresses University Club

Dr. Jacob Gould Schurman, United States Minister to Peking, addressed the American University Club on Monday, May 14, at a tiffin at the Old Carlton, Shanghai. H. Y. Moh, president of the club, called on Consul-General E. S. Cunningham to preside. Mr. Cunningham, in introducing the speaker, cited Dr. Schurman's special fitness to address a University Club composed of Americans and Chinese, in view of his long service as president of Cornell University and of his activity during his two years as Minister to Peking in acquainting himself with China and the Americans and Chinese here.

Dr. Schurman, responding to the introduction, stated that, at the time of the 50th anniversary of Cornell's foundation, he signed the 20,000th diploma given by the university, 17,500 of which he himself had signed. As regards his familiarizing himself with China and the people here, Dr. Schurman remarked that he had travelled some 15,000 miles about the country, and had met, with few exceptions, every prominent Chinese in official life.

The speaker then expressed his dissatisfaction with university clubs in general, believing that they failed to perpetuate college traditions and were in no wise distinguished from the usual social clubs.

Dr. Schurman suggested that the American University Club of China had special opportunity for accomplishment along three lines, the first of which was in promoting better understanding between Americans and Chinese by social gatherings. He urged that wealthy Chinese, in the absence of state supported universities in China, should follow America's lead by individual and associated foundation and endowment of private institutions of learning.

Finally, the Minister ardently expressed the need of educated Chinese to take prominent roles in bringing about stable government in China, concluding that in combination with the business class of China, a stable government acceptable to the masses of China could be established.

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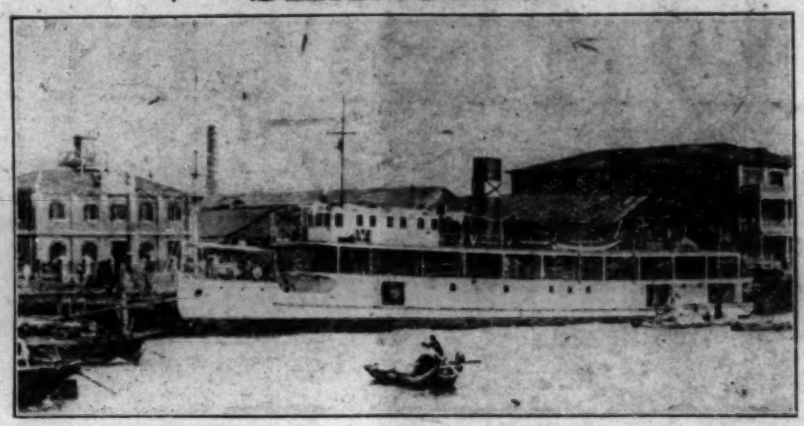

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Men and Events

A "fellowship tiffin" was held on Wednesday, May 16, at the Union Club, Shanghai, when a large number of members and guests attended.

A graduating pianoforte recital was given by Miss Mary D. Faung, a student at McTyeire School, Shanghai, on Thursday evening, May 17, at eight o'clock, at 1 Edinburgh Road.

Edward P. Farley, vice-president of the American Emergency Fleet Corporation, has been appointed chairman of the United States Shipping Board, succeeding Albert D. Lasker, according to a report.

W. F. Lowell, of Saco-Lowell Shops, cotton textile machinery, departed last week for Japan where he will meet Mrs. Lowell, and son, W. F. Lowell, Jr., who are returning after an extended trip in America.

A pamphlet, containing some agricultural notes of Canton Christian College, has recently been reprinted from the *Canton Daily News*. The notes contain the news that a group of agriculturalists in Canton are organizing a branch of the world Agricultural Society.

The Chinese athletes who are taking part in the Olympic Games held in Osaka, Japan this month, arrived in Shanghai from Canton last week, and were guests of the Y. M. C. A. and Y. W. C. A. at a reception. The girls who are representing China in the volley ball and tennis left Shanghai on Saturday for Japan.

Dr. Sidney L. Gulick, who has been traveling in China and attending the National Christian Council in Shanghai, recently departed for Kyoto, Japan, where his address up to June 1 will be in care of Professor Edward S. Cobb, Kyoto. About June 5, Dr. Gulick will depart for America from Yokohama, his address in New York, will be 105 East 22nd Street, New York City.

The Parent Teacher's Association of the Shanghai American School will hold a meeting at the Royal Asiatic Society Hall, 5 Museum Road, on May 23, at 5:15 p.m. Dr. Lyon of the Board of Trustees in New York spoke on April 25. on "The Expectations for the American School," which address has suggested several questions for consideration and which will be discussed at the next meeting.

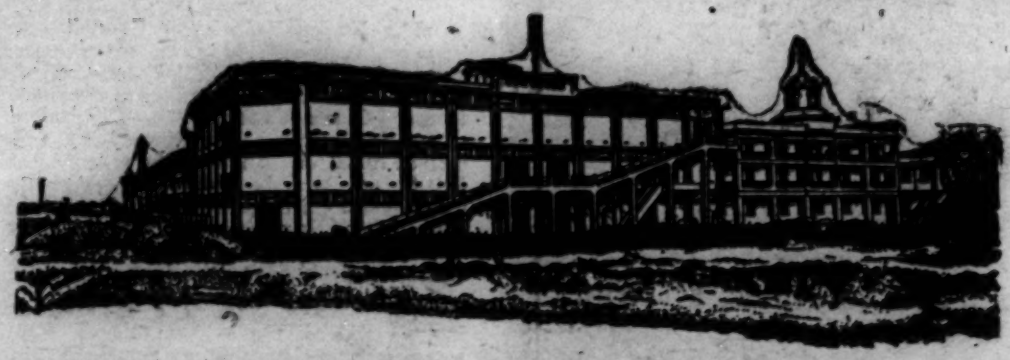
H.C. Rowson, a member of the British American Tobacco Company, of Hongkong, who was taken captive by Kwangtung bandits, South China is reported to have been released. Government troops surprised the bandits, who fled, leaving Mr. Rowson behind. He was kept bound by cords in a cave about twenty miles beyond the spot where he was kidnapped. He was guarded by some thirty odd armed men.

The *Oriental Advertiser II*, an advertising and merchandising houseboat of the Oriental Advertising Company, was christened this week previous to its departure into the interior of China on its maiden voyage. The boat carries a list of samples and supplies which are displayed in a show room on the boat, as well as several cinema machines, with which it is proposed to show several pictures. The boat is planning to visit the larger cities along the Yangste and will be away from Shanghai for six months or more.

Some 8,000 copies of a catalogue in Chinese representing 180 American manufacturers will be distributed free some time this summer. E. Platt of Arkell and Douglas is getting the book out. It is the first of its kind in China, and is intended to assist American manufacturers in bringing their goods to the attention of Chinese dealers. Many catalogues are sent out by manufacturers to Chinese, but they are in English and contain many items which are of no value on the China market. The printing is being done by the Commercial Press.

A general meeting of the Shanghai American Chamber of Commerce was held in the Union Club on the afternoon of May 15. Dr. Jacob Gould Schurman, American Minister to Peking, was present and asked opinions of those present regarding the following subjects which were on the program for discussion: Disorder in China, Tariff Conference-2 1/2 percent customs surtax, Abolition of Extraterritoriality, Hwai River Conservancy Scheme, Yangtze River Control, Consulate at Ichang, China Trads Act, Wanhsien Military Tax, and Trade Mark Protection,

The following notice was received from the Chinese Post Office regarding mails by way of Siberia, on Tuesday, May 15. "On and after this date closed mails containing correspondence for 'Russia in Asia' will be despatched to Chita. Closed mails containing correspondence for 'Russia in Europe' will be despatched to Moscow. For the presen



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only ordinary mail matter and registered articles at sender's risk will be sent to Chita and Moscow. Insured letters cannot be accepted for transmission and all such correspondence must be clearly marked. *via* Chita or *via* Moscow."

The National Christian Council opened its conference here on Thursday, May 10, when more than a hundred delegates were present including Chinese and foreign men and women. The National Council is the lineal descendant of the former China Continuation Committee and came into existence here more than a year ago. The delegates this year include Miss Jane Addams, the noted American social worker, Dr. Sidney Gulick, representing the Federal Council of Churches of Christ in America, Dr. Paul Martin, of Princeton Theological Seminary of America, and others. The conference ended this week, after touching on many subjects relative to problems of the day.

The *Shanghai Maru*, one of the new boats recently inaugurated by the Nippon Yusen Kaisha's fast service between Shanghai, taking twenty-six hours to make the trip, departed with a full list of passengers representing journalists and shipping men in Shanghai, for Nagaski on Tuesday, May 15. The trip was arranged under auspices of the N. Y. K. Company and consists of a sightseing trip from Shanghai and thence to Unzen. The entire trip will take six days, the party arriving back in Shanghai on Sunday, May 20. Among those who departed for Japan included representatives of the *North China Daily News*, *China Press*, *Shanghai Mercury*, *Shanghai Times*, *The Eastern News Agency*, *The Evening News*, *Shipping and Engineering*, *Far Eastern Review*, Thomas Cook and Sons, *Reuters* and others.

News from South China

Y. C. Wai, a secretary to the Generalissimo, has been appointed City Auditor of Canton by the Civil Governor.

May 7 will be observed in Canton by students as a day of humiliation or national disgrace as in other cities in China.

The government at Canton will not sell the lands now occupied by the Canton Agricultural College as first intended upon the protest of the students and the public. The government at first decided to transfer the college to a less desirable site in order to offer the present site for sale.

Ho Hak Foo, a strong Kuomintang member and brigade commander, has been appointed director of military affairs of Namhung, Shiuchow, and Linchow districts in anticipation of Mr. Ho's expected success in recapturing the places for Kwangtung from the enemy now occupying theme.

In the presence of a distinguished assembly, the Governor of Hongkong, Sir Edward Stubbs, K. C. M. G., on May 3, unveiled the statue of Sir Henry May, a former governor of that port, one who had finally reached the highest office there after having served in several departments for more than thirty years in the Hongkong government.

Yeh Kung-chao, a prominent Cantonese and several times minister of communications of the Peking government, is being urged by friends to become minister of finance of the Constitutional government not being officiated by the Generalissimo. Among those who would support Yeh in office is Liang Shih-yi, the well-known Cantonese power in finance in China.

The District Assembly of Namhoi as well as the Associated District Assemblies of Kwangtung, of which Ching Hok Yuen is the chairman, are appealing to the Canton military and civil authorities to free their chairman, Mr. Ching, from charges of having communicated with and in favor of the enemy to the Cantonese, the Kwangsi-ites at war with the Cantonese, in any way.

By an order of Generalissimo Sun Yat-sen, the South China Supreme Court will extend general clemency to all now being detained in the several penal institutions in Canton and districts. Dr. Chao S. Bok, Chief Justice and ex-officio Minister of Justice, will expedite an arrangement by which many may see freedom May 5, when the Cantonese public will honor. Dr Sun with parades day and night.

Canton will have another theater, in addition to the Lok Shin, Tung Kwan, Hai Chu, and Honam Theater. The new and fifth theater will have Tai Ping or Peace as its name and be located at Saae Kwa Yuen, east section of the city. The annual license for this theater will be $10,000, payable

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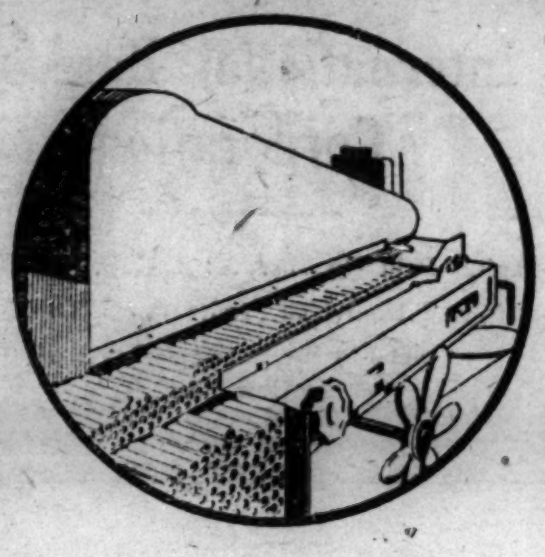

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to the Municipal Department of Finance quarterly. The new theatre will probably be inaugurated about June 15 next.

Today, May 5, is a holiday in Canton by special order of the Civil Governor, and no public office or newspaper will open to business. This day is set apart by the Cantonese to show their appreciation of the work now being done by Dr. Sun Yat-sen to oppose militarism and preserve the Constitution and the Republic and to defend Kwangtung against the invasion of Peking hired mercenary forces from Kwangsi and Kiangsi.

The Province of Kwangtung will have a bureau of education enjoying equal rank with the bureau of finance. Hsu Chung-ching, a brother of General Hsu Chung-chi, has been designated as commissioner of the bureau. Mr. Hsu was formerly commissioner of education of Canton City only. For many years the educational interest of the province is attended to only by senior or chief clerk of the office of the Governor who nominally supervises the education in the province.

The Cantonese made May 5 as a public holiday in order to show their respect for Dr. Sun Yat-sen, who has just regained full control of the Canton government by his success in arms against Peking and the Northern militarist, Wu Pei-fu, whose supporter here, Shen Hung Ying, failed to effect a coup against Dr. Sun as Peking intended last April 15. The program of the day included a ceremony at the headquarters of the Generalissimo attended by representative officials and citizens, grand parades day and night, water procession on the waters around Canton, and fire-works in the evening.

Cantonese are supporting their government well in the present civil war. To prevent Shen Hung-ying from carrying out the Peking order to be the Tuli or director of military affairs in Kwangtung, the people are liberally contributing toward the expenses of the struggle. The districts are paying $400,000 taxes in advance, while the General Chamber of Commerce and the Nine Charitable Associations are raising $1,000,000. Landlords are contributing one month's rent receipts, and the labor unions are making their members contribute from at least on dollar up. To supplement these efforts, the government is selling more public lands.

By order of the Civil Governor and upon demand of the students, the Kwangtung Agricultural College will not be sold as first intended by the Provincial Commissioner of Finance to meet urgent demands for funds. The Governor has instructed the Commissioner to arrange with the Bank of Canton, Ltd., the purchaser of the Kwangtung Agricultural Experiment Station, in which the Bank claims that the College is included, to maintain the old status of the College and set aside at least fifty *mow* of land for the service of the institution. The members of the faculty and student body of the College have fought hard to preserve their institution in the present site and they have the support of the public and the educational circles throughout the province.

By an order of the Generalissimo, Dr. Sun Yat-sen, Dr. Kwan King Shing was removed from the office of Salt Inspector, an appointment made by Peking since the reform of the Salt Gabelle under the terms of an international loan several years ago. Dr. Kwan was replaced by Ng Nei Hong, May 2. Mr. Ng was a secretary of the Canton Inspectorate, and this new appointment would not interfere with the service, except that Mr. Ng will have to report to Dr. Sun instead of to Peking. W. N. Fergusson, the foreign Inspector, at first made a protest against the appointment, going as far as delivering the seal of the Inspectorate to the British Consulate-General. The seal, however, was later returned to the Inspectorate so that the business of the office may not be delayed on this account. Mr. Fergusson has referred this matter to Peking. The revenue of the Salt Gabelle in Canton has been going to the South China Government for many years, but the inspection service, that is accounting, was still controlled by Peking officials until May 2. The Generalissimo is still permitting Mr. Fergusson to function. As Mr. Ng has been the senior secretary in the Inspectorate, below the inspectors only in rank, his replacing of Dr. Kwan was intended more to show Peking that Dr. Sun could take over Peking functions here if he so desired. The revenue here was about $8,000,000 only the last few years, but it could be improved and something more than $10,000,000 should be the proper amount. So far Peking and the foreign representatives interested in the salt administration have taken no formal action relative to this transfer of control and Mr. Fergusson is attending to his office in the District Salt Inspectorate here as usual. Mr. Ng, it is understood, will not cause any embarrassment to the Peking authorities, he himself being a member of the service for many years and soon entitled to promotion had he continued in his late capacity with Peking.

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The Question of Foreign or Self-help for China as the Editors See It

Covering the period from Wednesday, May 9, to Wednesday, May 16.)

The continued captivity of the several foreigners (and Chinese) who were taken by bandits from the derailed night express train on the southern border of Shantung province at 3:30 a. m. on May 6, has held unabated interest in the Far East since the outrage was first reported. Latest reports are that Wu Yu-lin, minister of communications, and General Yang I-teh, chief of police at Tientsin, have offered to place themselves in the bandits' hands in lieu of the foreign captives. The Chinese government has consented to the plan, and on May 17, considerable hope was felt for the early release of the foreigners.

During the week past, the foreign women and children held by the bandits were given their liberty, and several of the men gained freedom as message bearers from the bandit-chief. As the foreigners are distributed among various groups of bandits, definite information as to the full number of captives is still lacking, but 12 or 14 men and one or two women (one refused to leave her husband), are still captives. All but G. D. Musso are reported in comparatively good health.

It is reported that most of the Chinese third-class train passengers have been released because the bandits lacked food and they were not valuable as hostages, but a number of Chinese are still held for ransom.

Latest reports are that the bandits demand either that they be reinstated in the army and that back-pay be given them, or that they be allowed to settle on their farms in three villages near their stronghold and be left unmolested by government troops.

The first action of the Foreign Diplomatic Corps in Peking seemed to indicate that drastic, likely military, measures would be taken. Subsequently the Chinese government expressed its deep regret and agreed to meet any demands of the bandits to secure the release of the captives. On May 9, the Doyen of the Diplomatic Body informed the Chinese government that the foreign governments would impose increasing indemnities for every 24 hours after May 12 during which the foreigners were detained. There was considerable expectation that this demand would release the captives by Saturday night, May 12, but nothing came of it.

On May 14, *Reuters* reported: "It is understood that the Corps would insist that immediate steps should be taken to reinforce the police and troops on all important railways so as to safeguard foreign life and property, the Waichiaopu to inform the corps as soon as possible what steps they had taken. The corps would then appoint a commission of foreign officers to investigate the measures taken, for whom free transportation and every facility must be provided."

Further than this, the diplomatic corps have done nothing, of which the public has been apprised.

Difficulties toward effecting the release of the captives is reported as follows in the *Peking* and *Tientsin Times*:

"One of the obstacles to an arrangement with the bandits for the release of the captives hitherto has been the fact that the General in charge of the Shantung Mixed Brigade which has surrounded the bandits, General Ho Feng-yu, is a man with whom the bandit leader is at blood enmity. The elder brother of the bandit leader, who was formerly the chief of the bandits in this district, was executed by General Ho last year. His body was badly mutilated, and his picture is still exposed in the railway station at Lincheng at the present time. Probably the trouble was that he did not come up to the General's expectations in sharing the booty, for the General himself is no particular opponent to the profession and indeed quite a considerable proportion of his men openly boast that they have brothers among the bandits. They have not been paid for 18 months, but they have managed to eke out an existence in a manner that it is not difficult to deduce.

"The General is commonly known by a nick-name among the local people which means the "Black-hearted." He appears to be unable to do anything with the bandits himself, for they refuse to negotiate with him, and to resent any attempt on the part of foreigners or others to interfere."

Likewise, it appears the bandits place no confidence in the promises of Chinese officials to grant them immunity from punishment for their crime.

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The commander of the garrison of 500 soldiers at Lincheng, where the train was attacked has confessed foreknowledge of the outrage. He claims not to have believed the report, and, also that with 500 men he could do nothing if it were true. The Chinese government has ordered an investigation of the responsible officials of Shantung. Part of the government order follows:

"Investigation indicates that despite the fact that more than one thousand outlaws were involved, the local authorities and troops had not the slightest knowledge in advance and failed to devise measures of defence. This is regrettable. It is, therefore, decided that the ministries of war and the interior shall be instructed to investigate the conduct of the civil governor of Shantung, General Hsiung Ping-chi, and the military governor, Tien Chung yu, as well as to punish those officers and officials found responsible. The civil and military governors of Shantung are also simultaneously instructed to take prompt measures to effect the release of the captives and to take proper defensive steps to prevent further bandit trouble and to facilitate communications. Failure to observe this Mandate will be suitably punished."

Another report of foreknowledge of the outrage was written by Rodney Gilbert in Peking under date of May 12, and printed in the *North China Daily News*, as follows:

"The *Peking Standard*, the Japanese semi-official organ, in an editorial today, brands the international attitude towards the Lincheng affair as 'reactionary'. It says that Japan will help China by restraining the Powers from excessive demands, and reminds China that a friend in need is a friend indeed. The Legations regard this attitude as unfortunate, since it gives a fresh impetus to the rumor that the bandit raid was an Anfu enterprise under Japanese auspices and that Japanese were warned not to take the train.

"Chinese officials say that the Governor General of Saghalien was booked as a passenger from Nanking on the looted train, but cancelled his ticket on receiving warning.

The deluge of messages, official, press and private, filed at the little station of Tsaochuang, where relief headquarters are established, has delayed getting news out of the progress of negotiations to the extent of two or three days. On May 11, two of the captives, J. A. Henley and K. P. Koo, arrived at the relief quarters from the bandit camp with messages containing the bandits terms. Both were ordered by the bandits to return the following day or the captives in their hands would be put to death. Henley returned with Roy Anderson, an American and former advisor to the President of China, who carried terms to the bandits. Anderson started on a third trip to the camp on May 15, he being the chief negotiator for the relief.

During the week, supplies of every description were sent into the bandit-camp for the captives, and it is believed they received them and their plight was made somewhat more endurable. Dr. H. Mertens made his way into the bandit camp to aid to the victims, especially G. D. Musso, who been reported in serious condition.

Details of the raid and subsequent experiences of the captives are best summarized in the reports sent out by J. B. Powell, printed eleswhere in this issue of the *Review*.

As indication of feeling abroad at the outrage committed by the bandits, the following cables were received from America:

"*Eastern News Agency*, Tokio, May 8.-A Washington dispatch dated May 7 reports: Secretary Hughes is infuriated over the bandit raid and has decided to take some drastic action. It is semi-officially reported that he has now under consideration a plan of employing military force."

"*Reuters Service*, Washington, May 7.—Following a conference between the Secretary of State, Mr. Hughes, and the acting Secretary of War, Mr. Davis, regarding the American captives in Shantung, Mr. Davis stated that the War Department was ready to back up with armed force any decision reached by the State Department or the council of foreign ministers in Peking."

The press of the Far East has had abundant expression of opinion on the outrage and the steps the situation demanded. Of prime interest was the view of Dr. Jacob Gould Schurman, American Minister to Peking, who was interviewed by a representative of the *Chicago Tribune* for publication in both America and China. He said in part:

"The employment of American troops in connection with the Lincheng affair was at no time considered. The Chinese government Inspector General of Shantung and Chihli, civil and military governors of Shangtung, and the military governor of Kiangsu are, in my opinion, doing their utmost to effect the liberation of the foreigners and to deliver them up in safety. What more could foreigners do? We have a right to demand that our nationals be set free, and that without delay, and all the Chinese authorities are responding to that demand.

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"The kidnapping of these foreigners was preceded by the kidnapping of foreigners, mostly missionaries, last Fall in Honan province. In both cases the perpetrators were former soldiers. China is full of ex-soldiers. Many thousands of them are turned out every year. And since like causes produce like effects, under the circumstances it would not be reasonable to assert that the present outrage of the bandits will be the last of them."

Dr. Schurman added that Washington has shown the greatest anxiety over the Americans concerned, and was very anxious that every effort should be made to bring about their early release.

Many foreign organizations have passed resolutions concerning the outrage, some of which follow:

Shanghai Rotary Club. "Resolved that Rotary International be requested to use all their influence with the several governments represented in International Rotary urging them to take immediate action demanding the protection of life and property in China."

Tientsin General Chamber of Commerce. "We, the duly elected representatives of the Tientsin Chamber of Commerce, and thereby the only elected body representing foreign interests in general, consider it our duty, in view of the outrage committed on Sunday, to demand that the Diplomatic Body in Peking take immediate action to protect the lives and property of foreigners travelling and resident in China, if necessary by drastic Military measures."

Peking British Chamber of Commerce. (in part) "The state of anarchy (evidenced by the bandit outrage) is due to the misrule by military leaders who have usurped the functions of the government, and for the restoration of law and order and the protection of the lives, property and the treaty rights of foreigners, concerted action should be taken speedily by the Treaty Powers to obtain the effective disarmament and disbandment of superfluous Chinese armed forces and the safe and efficient operation of the railways."

The China Association sent the following cable to their London committee:

"Referring to recent outrage Tientsin-Pukow Railway strongly urge British Government take steps other Governments insist immediate measures effective disarmament and disbandment troops under foreign supervision with necessary foreign financial assistance. It is believed foreign intervention will be welcomed by Officials and large section Chinese public and we consider present situation justifies demand effective foreign management main trunk railway lines policing same under foreign officers and that present opportunity should not be lost Foreign Governments demand measures of widest possible scope in order to put a stop to military misrule which not only danger to life and property but fundamental obstacle all reform."

The American Association of China passed a resolution which was not made public locally, but was forwarded by cable to the Asiatic Society of New York for their action.

Several Chinese organizations have passed resolutions calling on the government to effect the immediate release of the captives, and likewise have sent messages of sympathy and regret to the Diplomatic Corps in Peking.

The *North China Daily News* commented editorially on the needs of the situation: "If we may venture to interpret foreign feeling in China today we would say that it is not nearly so much afraid that the bandits' prisoners will be killed as that no adequate penalty will be inflicted. Once dead the prisoners would not only have ceased to be the valuable hostages they now are, but the one consideration which prevents the bandits' stronghold from being attacked, would have vanished. . . . So far there is no inkling of what these demands (of the Diplomatic Corps) are likely to be, although it is nearly a week since the note was delivered, and in such a case speed is of first importance, to act first and talk afterwards. For if talking once begins in China, there is no end to it. . . . We venture to urge once more that the only effective way of striking terror into the official heart, is to strike at the biggest men in sight, the men who are verily guilty of this as of countless other unnoticed outrages. Arrest Tsao Kun and two or three other leading men. Make them pay out of their own pockets and then dismiss them forever from public service. The Powers are almost unnaturally solicitous of saving China's face. Will they not for once think of saving their own?"

Editorial comment of Japanese newspapers on May 9 and 10, varied but little, and is well expressed in the following from the *Hochi*:

"The bandit outrage at Lincheng station in Shantung is the gravest incident that has occurred in China for some

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years. It is not uncommon in China that trains are attacked by bandits, but the Lincheng affair surpasses any other incident of a similar nature in its dimensions. Its particular gravity lies in the fact that many foreign passengers were among the victims. In attacking trains in the past bandits took special care to avoid causing harm to foreign passengers, and the Lincheng affair offers striking contrast with past incidents in that not only the marauders did not refrain from harming foreigners but there is ground for believing that they purposely chose a train carrying foreign passengers as the object of their attack. There is no possibility now of any power proceeding to occupy territory in China as the price for the murder of one of her nationals. The terms of settlement for a foreign murder case have been very light, compared with those imposed on China in former days. In such circumstances, the feeling of dread which the Chinese people entertained toward foreigners in the past has gradually given place to the feeling of contempt for them.

"Shantung province, like Kirin and Kwangsi provinces, is notorious for its bandits, but if the Peking Government could make its authority sufficiently felt over it and if the local authorities were earnest enough to maintain peace and order, it would have been inconceivable that a large body of over 1,000 bandits should attack the Tientsin-Pukow railway, one of the trunk lines of China. General Wu Pei-fu, General Tsao Kun and other militarists keep their troops, but they maintain them for their own selfish purposes, not for the maintenance of public peace and order. The Central Government is so weak that it is obliged to do the bidding of the ruling faction in all matters.

"We have profound sympathy with China for her endeavors to secure progress and development of her own destiny, and are ready to give her as much help as circumstances permit, politically, financially and otherwise. We therefore deem it very regrettable that things in China are going from bad to worse, with the natural result that China is falling more and more in the estimation of the world. China has nobody but herself to blame for this deplorable state. We earnestly urge the Chinese Government and people to make endeavors to put their own house in order before trying to make others respect China's sovereignty and territorial rights."

The *North-China Star* (British). "The bandits are numerous and the territory over which they roam is vast, but the time has come when every known means, aeroplanes, tanks and wireless, with foreign aid if necessary, should be used to round them up and break them up. Like pirates on the sea they must be treated as the enemies of mankind, and their punishment should be made an international duty. But even worse than the bandits themselves are those who may be using them for political or other purposes: If there are such, and rumours at least say there are, they should be found out, publicly exposed and punished as traitors."

From the *North-China Star* (American). "The humiliation that is being experienced is the humiliation of foreigners before the grinning cynicism of the great Tuchuns, who send their troops to the north for nothing at all, leaving their own provinces at the mercy of shrieking hordes of cut throats and murderers. The humiliation is that of foreign ladies turned out of their berths in their nightdresses and made to tramp barefoot across country till they drop from exhaustion. For this climax the misguided suavity of the American Government and their sickening patronage of the Chinese for purely political purposes are in large part responsible."

Peking and Tientsin Times (British). "There has got to be real retribution for this terrible affair at Lincheng and its dreadful aftermath, the torture and confinement in the most primitive conditions of scores of men and women. The Chinese have got to be made to realize the enormity of this occurrence. Unless the Chinese authorities show by their conduct in this matter that they are determined to satisfy foreign opinion, and what is more, do indeed satisfy it, there will be a united demand among all foreigners in China for protection by their own troops. Things cannot be allowed to drag on as they have been doing of late, without the provision of more adequate safeguards, and if we cannot get them from the Chinese we shall have to get them from our own governments."

Peking Leader (Chinese) "It should be remembered, particularly by foreigners, that this incident is no more the result of the considered wishes of either the Chinese people or the Chinese Government than were certain other events during the last nine months. Due recompense for what has happened should be asked, as well as adequate protection against similar incidents in the future. But there must be no bullying presentation of "demands" or table-thumping insistance by foreign "right"—and no resolutions by foreign commercial or other bodies calling for such actions. A careful investigation should be made, and then a statement prepar-

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consider it fair that the Chinese government should do. There should be firmness. But there also should be dignity and courtesy."

Turning to other news in the Far East during the week past, first reports are just at hand of the piracy of the China Merchants' Steam Navigation Company's steamer Taishun. The vessel was bound from Shanghai to Hongkong and Canton, and, when off Swatow, some 50 first-class Chinese passengers suddenly held up the officers and crew and subdued the passengers. They looted the ship to the extent of about $60,000 and then ran the steamer inshore and made their escape. One or two British ship's officers were wounded in the fracas.

H. C. Rowson, a Britisher employed by the British American Tobacco Company in Hongkong, who was recently captured by bandits in Kwangtung, was released on May 9 when soldiers raided the bandit headquarters so unexpectedly that they fled, leaving Rowson behind them.

The following message from Ichang under date of May 14 was published in the *China Press*:

"Ichang, May 14.—A large number of Chinese, including several students, were seriously wounded today at Shasi when a clash took place between a landing party from a Japanese gunboat and anti-Japanese students. The trouble began when the Japanese mail steamer, Taigen Maru, docked at Shasi and a number of Chinese students went on board to search for Japanese goods consigned to Shasi and Ichang.

"When the ship's crew resisted the search and sent forth a distress signal, the Japanese gunboat Fushimi depatched its landing party, which routed the students off the steamer and fired at them.

"Subsequently a free-for-all feud ensued. All communications were cut and passengers on incoming ships were unable to land. The situation in Shasi is grave.

"It is understood that the Japanese fleet in Hankow has been instructed to steam for the scene of the clash immediately."

The past week witnessed no events of moment in Japan, the Philippines or other parts of the Far East, excepting the gathering in Osaka of the athletes from China and the Philippines for participation in the Far Eastern Olympic Games.

GENERAL NEWS SUMMARY

May 10. France and Germany express opinion that Allied notes to Germany regarding reparations is desired while separate response is to be deplored.——Report from India notes a recrudenscence of riots spreading through certain districts.——London report shows renewed attacks on Singapore base.——The Powers ask explanation of serious outrages on foreign banks in Constantinople.

May 11. De Valera refuses to agree to terms of Irish government causing a deadlock of affairs in Ireland.——Debate ensues in House of Commons regarding recent American liquor ruling allowing introduction of bill providing all passenger ships in British waters must carry a reasonable quantity of liquor.

May 12. London takes definite stand on Soviet's conduct with regard to seizure of British trawlers far beyond limits when cruiser is sent to defend same.——M. Vorowsky, Soviet Envoy at Lausanne Conference is shot, also two Russians wounded, according to Lausanne report.——Conference of cotton men in London agree on wage rates to be stabilized until January 1924.

May 14. Realization of more than $2,000,000 worth of securities which are conflictingly claimed by Irish Free State and De Valera party and its conversion into U. S. government issues pending a decision of ownership is ordered by U. S. Supreme Court, according to New York despatch.

May 15. According to report, this week at Lausanne will be a deciding week of the Conference, however a battle royal may be expected with regard to capital points in dispute

notably the judicial regime for foreigners in Turkey and the Turkish and Greek indemnities.

May 16. Conference of American and Mexican delegates opens to discuss differences between two governments..——Fighting continues in Morocco despite resistance according to Paris report.——Japan and Russia seem to agree except regarding fisheries question.——London report says British government is in no mood for loaning money to Peking government.——Olympic games open at Osaka.——Calcutta report says lawlessness spreads over Mindapore district in India when attacks are made on police officials.

Weekly Cotton Market Report

By A. B. Rosenfeld & Son

China Cotton:—We had an uneventful week in the cotton market with the extreme range in quotations at three quarters of a tael and which closed yesterday at a decline of practically half a tael as compared with last week's closing quotation Receipts from the interior marts are still small and in consequence of this, the predominating sentiment continues to be in favour of steadier prices, but the uncertainty which has been felt in the future, has prevented the broadening of speculation. It looks to us, therefore, as if the market has been bulled to a standstill. We do not wish to be enthusiastic on the bear side, but we think that the recent advance is al that can be expected and that the next fluctuation of consequence is more likely to be downward. For the present herefore, we advise selling conservatively on little bulges and taking profits on weak markets.

The chief interest from now on will be centred on the planting of the new crop, preparatory work commencing in this connection within the next few days and we shall continue to report on the progress from week to week as we have done in previous years.

Yarn.—The market during the past week has had a steady undertone. Prices declined one to two taels as compared with last week's level. In all some 7,000 to 8,000 bales of various counts and chops of local products have been bought up by Swatow, Weihaiwei, Chefoo, Tsingtao, Kiangse, Hankow, Wuhu, Changsha, Fukien and Newchwang dealers. For the present, we are of the opinion that the market will be quiet until the planting of rice and cotton is over and then we anticipate that farmers will be more interested in the manufactured product.

Liverpool, May 9, 1923.

Liverpool Market:—

Middling American, Spot............14.13 Pence
" " July .... 13.32 "
" " October........12.47 "
Market:—*Steady.*

New York, May 10, 1923.

New York Market:—July.....................24.20 Cents
October ....22.65 "
December ....22.30 "
January ....22.00 "
March...................21.95 "
Spot ....25.65 "
Market:—*Weak.*

Bombay, May 10, 1923.

Bombay Market:—

Broach, F. G. May ....Rps. 514 per Khandy,
Fully Good Bengal, May .... " 405 " "
Market:—*Steady.*

Shanghai Market:—

Tungchow, Spot......................... Tls. 40.00
Shanghai, Spot......................... " 37.00
M-ginned, Spot .... " 37.00
Taichong, Spot......................... " 38.00
Shensi, Spot. .... " 39.50
Market:—*Steady*

Shanghai Exchange for Week Ending Wednesday, May 9th, 1923.

By Maitland, Fearon and Brand

Exchange:—After slight fluctuations the London price of silver at 32¾d. is $\frac{1}{16}$ up of last week. The quotation for forward delivery is 32$\frac{11}{16}$d. The New-York/London cross-rate is down to 4 61½.

Our official quotation for T/T on London has remained unchanged at 3/2½ throughout the week. The volume of exchange business passing has been small and we close with an easy tendency. For T/T on London 3/2$\frac{1}{16}$ for May falling to 3/2½ July/Dec. is the open market quotation.

We have news of a further Tls. 2,000,000 value in silver shipped from America, making about Tls. 7,000.000 value to arrive this month.

Our stocks of silver are reported as follows:—

Sycee and Bar Silver ....Tls. 23,560,000 a decrease of Tls. 738,000.

Chinese and Mexican Dollars..... $ 43,400,000 an increase of $ 1,100,000.

Estimated value Tls. 54,808,000 as against Tls. 54,304,000 held at this time last year.

†	Average rates for April	Thursday May 3	Friday May 4	Saturday May 5	Monday May 7	Tuesday May 8	Wednes. May 9
Bk's selling rates		*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*	*opening closing*
T/T London	3/1.791	3/2½	3/2½	3/2½	3/2½	3/2½	3/2½
D/Dfts. "	—	3/2⅝	3/2⅝	3/2⅝	3/2⅝	3/2⅝	3/2⅝
4m/s "	—	3/2¾	3/2¾	3/2¾	3/2¾	3/2⅝	3/2¾
T/T India	233.750	237	237¾	237	237	237⅝	238⅝
T/T France	1,103.125	1120	1115	1115	1110	1125	1150
T/T N. Y.	73.364	74½	74¼	74¼	74¼	74	74
T/T H'kong	73.937	74	74	74	74	74	74
T/T Japan	66.494	66¼	66¼	66¼	66¼	66⅛	66⅛
T/T Batavia	189.500	193	193	193	193	193	193
T/T Straits	74.666	73¼	73¼	73¼	73¼	73¼	73¼
Bk's buying rates							
4m/s B/L. Cred. D/A	3/3.791	3/4½	3/4½	3/4½	3/4½	3/4½	3/4½
4m/s " D/P	—	3/4¾	3/4¾	3/4¾	3/4¾	3/4¾	3/4¾
6m/s " D/A	3/4.291	3/5	3/5	3/5	3/5	3/5	3/5
4m/s B/F. C., D/A, D/P	1,154.125	1170	1165	1165	1160	1175	1200
4m/s N.Y. Lc.	77.260	78½	78¼	78¼	78¼	78	78
4m/s " Docs	—	79	78¾	78¾	78½	78½	78½

†Based on Daily Official quotation, higher rate taken on rising Market, lower when falling Bullion.	May 3	May 4	May 5	May 7	May 8	May 9
*London Price of Bar Silver per oz. (English Standard 925 touch) Pence.	32¾	$32\frac{11}{16}$	$32\frac{13}{16}$	$32\frac{11}{16}$	32¾	32¼
**N.Y. Price of Bar Silver per oz. (Pure)	G. $. 67¾	G. $. 67⅛	G. $. 67¾	G. $. 67¾	G. $. 67⅞	G. $. 67⅞
Shanghai Price of GoldBars (weight Tls. 10 (Chauping) 978 touch	Tls. 315^{70}	Tls. 314^{80}	Tls. 315^{30}	Tls. 316^{80}	Tls. 316^{80}	Tls. 316^{10}
Shanghai Silver Bars (weight Tls. 100 (C.) 999 touch)	111^{00}	111^{00}	111^{00}	111^{00}	111^{00}	111^{00}
Shanghai Mexican Dollars per $100	72.2125	72.225	72.225	72.25	72.2625	72.275
Native Bank Rate of Interest (Callmoney)	4%	3½%	3%	5%	3½%	3½%
*Closing Price in London for Previous day.						
**Closing Price in New York for Previousday						

Bank of England rate of discount		3%
Bank of France rate of discount		4½%
London open Market of rate	Dis. 3 m/s.	2%
"	" 4	2%
"	" 6	2½%

London on Paris	T/T	69.68
London on Germany	T/T	167,700
New York on London	T/T	461$\frac{3}{16}$
Bombay on London	T/T	1/4$\frac{3}{16}$
Hongkong on "	T/T	2/4½
Yokohama " "	T/T	2/1$\frac{7}{16}$

New Books and Publications

Americanism a World Menace by W. T. Colyer. Preface by Tom Mann: The Labour Publishing Company: 1922. Price 6.

American Individualism by Herbert Hoover: Doubleday, Page & Company New York: 1923.

HERE are two little books which should be read together in order that each may be taken as an intellectual antidote to the other. The one may make one gloomy as to the future of America and its civilization, the other may form a sedative and make one slightly too optimistic.

The author of the first book and his wife were arrested and deported from the United States in 1920 on the ground that "they are, and frankly avow themselves to be, convinced and enthusiastic Communists...." Perhaps the book is written as a warning to other Communists that the United States is not a happy hunting ground for men of the Communist persuasion. More likely, however, it is published as an expose of the Capitalistic system which is held to control the entire life of America.

Like many other works of its class the book suffers from the "fixed idea" of the writer which causes him at times to overstate his case and prevents his showing the other side of the picture. Mr. Colyer feels a particular and virulent hatred for the "100% Americans." All who are of this class or who uphold the idea of "My country right or wrong" should read this study in fairness to themselves. It is the type of book that will make a certain type, common to all countries, writhe and sputter with indignation. It is well written nevertheless and is full of material worthy of careful thought by impartial and levelheaded Americans who realize the danger of the growth of invisible government in their country of the type exemplified by the Ku Klux Klan. In spite of its lurid title Mr. Colyer's book deserves widespread and thoughtful reading. It is to be hoped that he may develop his ideas on the danger of "industrial feudalism" in a later work.

A fair idea of the contents of the book may be derived from the chapter headings: The Historical Background of Americanism, Americanism and Democracy, Americanism and Liberty, Americanism and "Law and Order", Americanism and Labor, Americanism and Education, Americanism and Religion, Americanism and Ethics, Americanism and the Alien, Americanism and World Dominion. How to resist the onrush of Americanism. The answer to the last question is interesting: "The only way in which the workers of Great Britain can foil Americanism on the international field is by lining up consciously on the side of the government which the administration of the United States hates and fears more than any other on earth, to wit, the Soviet government of Russia."

The author of *American Individualism* is too widely known to call for comment. He has written this essay apparently in an attempt to draw the minds of the American people away from the thought of revolution so widespread at present even in America and to direct thought to the underlying factors of American civilization—one of the most important of which he considers to be Individualism. "Five or six great social philosophies are at struggle in the world for ascendency," says Mr. Hoover. "There is the individualism of America. There is the Individualism of the more democratic states of Europe with its careful reservations of castes and classes. There are Communism, Socialism, Syndicalism, Capitalism, and finally there is Autocracy—whether by birth, by possessions, militarism, or divine right of kings. . . . ."

"For myself, let me say at the very outset that my faith in the essential truth, strength and vitality of the developing creed by which we have hitherto lived in this country of our has been confirmed and deepened by the searching experiences of seven years of service in the backwash misery of war. Seven years of contending with economic degeneration, with social disintegration, with incessant political dislocation, with all of its seething and ferment of individual and class conflict, could but impress me with the primary motivation of social forces, and the necessity for broader thought upon their great issues to humanity. And from it all I emerge an Individualist. But let me say also that I am an American individualist. For America has been steadily developing the ideals that constitute progressive individualism."

From the point of view shown in the above quotations Secretary Hoover develops his ideas of American Individualism based on its philosophical, spiritual, economic, and political phases. He deplores the type of mind which is hypercritical and unable through weakness to develop and carry out constructive ideas.

If one were to criticise the essay it might be said that it is a little too general, that the thesis is large for brief consideration, and that illustrative material is necessary to carry conviction in the mind of the average impartial reader. An interesting debate might be held could Messrs. Hoover and Colyer meet on a public form. Each has a mighty thesis to uphold. Neither has presented all his resources in his study of world conditions or of conditions in America. Regardless of one's personal sympathy or antipathy it must be conceded that of the two studies here reviewed the former gives more food for reflection and is of more value at the present time.

H. F. M.

St. John's University, May 15, 1923.

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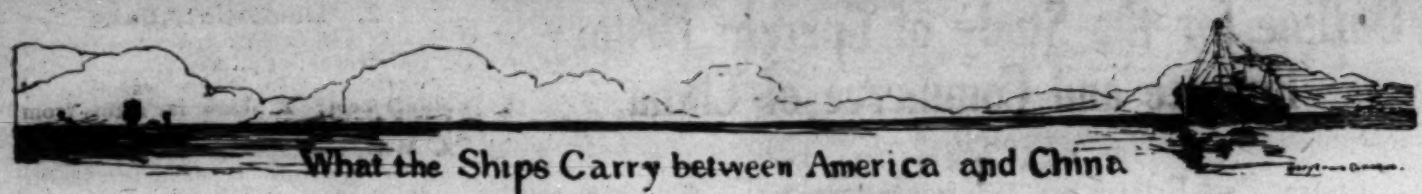

What the Ships Carry between America and China

Returns of the Shanghai Customs

(Key: Pls.—1 picul or 133 1/3 pounds; Bls.—Bales; Pcs.—Pieces; Mille—thousands; Hk. Tls.—Haikwan Tls., Customs Rate Apr. Tls. 1.22 equal Gold $1)

S. S. Nile, April 21.

From Honolulu.

Iron, Pig	Pls.	1,680

To San Francisco.

Silk Piece Goods	Pls.	2.23
Groundnuts, in Shell	,,	840
Groundnuts, Kernels	,,	375
Oil, Groundnuts	,,	57
Tallow, Vegetable	,,	230
Kittysols	Pcs.	1,200

To New York.

Silk Pongees, Shantung	Pls.	29.47

S. S. Silberia, April 18.

To Baltimore.

Egg, Yolk, Dried	Pls.	18

To New York.

Silk, Pongees, Shantung	,,	2.88
Egg Albumen, Dried	,,	26
Egg Yolk, Dried	,,	117
Rhubarb	,,	17
Skins, Rabbit	Pcs.	10,000
Skins, Wolf	,,	100
Skins, Weasel, with Tails	,,	10,000

S. S. Agapenor, from U. S. A., April 16.

Iron Hoops	Pcs.	62
Iron Nails, Cut	,,	9
Iron Nails, Wire	,,	150
Iron Pipe Fittings	,,	47
Iron, Galvanized: Wire Shorts	Pls.	1,960
Sheets, Plain	,,	530
Bronze Powder	,,	19
Glue	,,	84
Grease	,,	216
Indigo Paste, Artificial	,,	1,221
Packings, Unclassed	,,	2
Paper, Writing	,,	171
Oil, Castor, Medicinal	,,	9
Motor-cars	Pcs.	2
Typewriters	,,	12
Belts, Unclassed	Doz.	13
Hosiery	,,	51
Oil, Lubricating	Galls.	35,892
Oil, Unclassed	,,	1,920
Varnish	,,	300
Cigarettes	Mille	50,000
Machinery	Hk. Tls.	5,929

S. S. President Jefferson, from U. S. A., April 16.

Bones, Cow	Pls.	219
Flour, Wheat	,,	6,585
Herrings, Salt	,,	5,262
Leadfoil and Tinfoil	,,	578
Leather Cow, Patent	,,	6
Milk, Condensed	,,	551
Milk, Evaporated	,,	314
Potatoes, Fresh	,,	87
Wheat	,,	5,252
Motor-cars	Pcs.	12
Cigarettes	Mille	63,700
Treasure, Silver Bars	Hk. Tls.	92,657

S.S. Taiyo Maru, U.S.A., April 14.

Cotton, Raw	Bls. 700 Pls.	2,549
Iron, Unclassed, Old	,,	700
Bones, Cow	,,	63
Ink, Printing	,,	181
Leather, Calf	,,	5
Macaroni	,,	17
Sugar, Cube	,,	23
Typewriters	Pcs.	12
Cigarettes	Mille	55,000
Treasure, Silver Bars	Hk. Tls.	144,247

S. S. Empress of Russia, April 21.

To Vancouver.

Silk, Pongees, Honan	Pls.	2.36
Cotton, Waste	,,	198
Walnuts, Kernels	,,	388
Carpets	Hk. Tls.	2.395

To Chicago.

Silk, Raw, Filature: Wild, other Ports, Bls. 118	Pls.	117.31

To Darby.

Silk, Waste: Other Ports Bls. 85	,,	256.58
Silk Cocoon Strippings: Shanghai Bls. 49	,,	150.97

To Scranton.

Silk, Raw, Re-reeled: White, other Ports, Bls. 12	,,	12
Silk, Raw, Steam Filature: White, Shanghai, Bls. 20	Pls.	19.94

To New York.

Silk, Raw, Re-reeled: Whire, other Ports, Bls. 163	,,	165.88
Silk, Raw, Steam Filature: White, Shanghai, Bls. 15	,,	15.13
Silk, Raw, Filature: Wild, other Ports, Bls. 237	,,	239.90
Silk, Raw, not Filature: Wild, other Ports, Bls. 5	,,	4.98
Silk, Waste: Shanghai, Bls. 1	,,	2.96
Other Ports, Bls. 85	,,	303.85
Silk, Pongees, Shantung	,,	143.67
Tea, Black, Shanghai	,,	1.00
Chinaware, Coarse	,,	2
Chinaware, Fine	,,	106
Cotton Waste	,,	415
Cotton, Yarn, Waste	,,	349
Feathers	,,	168
Straw Braid, Mottled	,,	75
Tobacco, Leaf	,,	151
Skins, Rabbit	Pcs.	15,000
Skins, Sheep	,,	10,000
Skins, Weasel	,,	12,100
Skins, Weasel, with Tails	,,	22,800
Umbrellas	,,	1,700

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Outline for the Study of Current History, Finance and Commerce of China

by

H. F. MacNair, Ph. D.

Professor of History and Government, St. John's University

This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.

1. International Affairs

Topic 1: Banditry and China's International Position

References: Pp. 369-70, 372-3, 392, 394, 396.

Questions: 1. Give the main facts in reference to the wrecking of the Tientsin-Pukow Express and the capture of foreign and Chinese passengers. 2. Why has this aroused public sentiment more than other bandit outrages? 3. How many foreigners, and how many Chinese were captured? 4. For what purpose? 5. Where are the captives held? 6. What is the attitude taken by the Foreign Legations in Peking? 7. What is the attitude taken by the Central Government? By the Tuchun of Shantung? 8. Aside from physical danger from the bandits what other dangers are the captives undergoing? 9. What demands are being made by the bandits? 10. Why have not the pursuing soldiers captured the bandits? 11. What is generally the attitude of the British Government toward the killing of its people in foreign countries? 12. Is the captivity of two American military officers likely to have any affect on the attitude of the American Government? 13. What is the general tone of the Chinese and Foreign papers in commenting on this affair? 14. In what other parts of China have both foreigners and Chinese been captured in recent years?

Topic 2: "China's Annual Civil War"

References: Pp. 371-2.

Questions: 1. Who is Mr. Peffer and why is he quoted? 2. What prophesy did he make re civil war in this country? 3. What is the double question considered in this editorial? 4. Why is Isocrates quoted? Who was he? 5. What three problems are mentioned as of particular importance in China at present? 6. What conclusion is reached in reference to these problems? 7. What do you think of the probabilities of civil war this summer?

Topic 3: United States Government Services in China

References: Pp. 370-1,388 (paragraph 10).

Questions: 1. What interesting announcement has recently been made by Mr. Arnold? Who is Mr. Arnold? 2. When was the first American Consulate opened in China? At what place? Why? 3. Of what importance is the United States Court in China? When was it established? 4. With what Department of the American Government is it connected? 5. How many departments of the American Government are presided over by Cabinet ministers? How many of these have had representation in China? What does this seem o show? 6. Why are American officials in China?

Topic 4: Right of a Citizen to Criticise His Government

References: P. 370

Questions: 1. Of what importance is a free press to a country? 2. What does the American Constitution have to say on the subject of free speech? 3. Is it possible for a Government to break a law? 4. Are there any times when citizens are not permitted to criticise their governments? Why? 5. Is this right universal? Discuss fully.

Topic 5: "What the Chinese Lack"

References: Pp. 373-4

Questions: 1. Who is the writer of this article? 2. What is the meaning of his use of dates in the second paragraph? 3. How does he compare the material features of American life with those of China? 4. What is said as to the difference between Chinese and American women? 5. What is a rolling-pin and what are some of its possibilities as suggested here? 6. How has democracy been won? How is it to be preserved? 7. To what conclusions does the writer arrive? Do you agree with them? If so, how can you demonstrate your agreement?

Topic 6: The Laws of India

References: Pp. 376,378

Questions: 1. What is the source of this article? 2. What is said to be the object of the Government of India bill which has recently been published? 2. What is racial discrimination 3. If Europeans and Indians are to be under the same laws and courts what is necessary? 4. What is proposed in reference to trial by jury? 5. What is proposed in reference to army offenders? 6. How are Mixed Cases to be handled? 7. What is the difference between a Bill and an Act?

2. Domestic Affairs

Topic 1: China's First Agricultere Institute

References: Pp. 380,382

Questions: 1. Where was this Institute held? 2. How far is this from Lincheng? 3. In what was it "unique"? 4. What was the original double object of this Institute? 5. What University aided? What officials gave aid? 6. On what subjects were lectures delivered? 7. Why was a play given by the Nanking students? What does this show as to the use of the drama in country districts as well as in the city? 8. Write a paper on the importance of introducing improved methods into China's agricultural life.

Topic 2: Chinese Chambers and the Japanese Radio Monopoly

References: Pp. 384,386

Questions: 1. To whom was the petition here printed sent? Why? 2. What request is definitely made in the first paragraph? 3. Review the main facts in the case as here digested. 4. What is said as to the attempt to internationalize communications in China? What is the attitude of the Chinese Chambers? Why? 5. What concluding requests are made? Does such a petition bear weight with the central Government? Why

Topic 3: Miss Addams in China

References: P. 390

Questions: 1. Who is Miss Addams? Why has she an international reputation? 2. Why is her visit to China of especial interest? 3. What subjects is she studying in China? 4. Why are her lectures listened to with deference by social service workers?

3. Commerce and Finance

Topic 1: The Loan to the Japanese Oriental Development Company

References: Pp. 375-6,371

Questions: 1. What is the source of this article? 2. Why has the report of this loan caused so much discussion in China? What fear is expressed? 3. What is the amount of the loan? 4. How is the loan guaranteed? 5. At what rate of interest? 6. For how long? 7. What arrangements are made to safeguard the interests under all conditions of holders of the bonds to be issued? 8. What is the Oriental Development Company? When was it organized? For what purpose? 9 Where is it claimed this money is to be used? 10 What is the meaning of the cablegram quoted at the end of the article? 11. From the tables printed do you judge this company has been prosperous during the last ten years?

Topic 2: U. S. Foreign Trade

References: P. 400

Questions: 1. What is the source of the figures quoted here? 2. Is the trade of the U. S. A. with Europe growing or declining? Explain. 3. What is said as to trade with Russia? 4. What is said as to trade with Japan and China?

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(Established by Act of Congress of June 30, 1906.)

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U.S. ATTORNEY, Leonard G. Husar.
U. S. COMMISSIONER, Nelson E. Lurton.
CLERK, William A. Chapman.
OFFICE HOURS 10-12; 2-4.
U. S. MARSHAL, DISBURSING OFFICER, } Thurston R. Porter.
PRISON PHYSICIAN, DR. T. B. Dunn.
DEPUTY MARSHAL, Wm. Van Buskirk.
TIENTSIN:
SPECIAL DEPUTY MARSHAL, Harry V. Fuller

All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of THE WEEKLY REVIEW may be accepted as authentic.

MOTION DAY.

All contested motions and demurrers will hereafter be heard on Mondays, beginning at 3 P. M.; provided notice thereof with proof of service on the adverse party or his attorney shall have been filed in the clerk's office by 1 P. M. of the preceding Saturday.

ADMISSION TO THE BAR.

Hereafter, applicants for admission to the bar of this court, whether previously admitted elsewhere or not, will be examined on the following:

1. Extraterritoriality, 25 Corpus Juris, 299—331.
2. Extraterritorial Cases.
3. Extraterritorial Remedial Code.
4. U. S. Rev. Stats., secs. 4083—4131 (Act of Congress of June 22, 1860, 12 U. S. Stats. at Large, Ch. 179).
5. China Court Regulations.
6. Act of Congress of June 30, 1906 (34 U. S. Stats. at Large, Ch. 3934).

BAR EXAMINING COMMITTEE: Nelson E. Lurton. W. W. Blume. Roland S. Haskell.

Shanghai, China, January 2, 1923.

Minutes of Recent Proceedings

Hearings:

May 9, 1923, Cause No. 1927, Chang Ming Liang v. L D. Kearny; testimony taken of Ning Dao Kung, and defendant; submitted.
" 14, " " " 1351, Nanyang Bros. Tobacco Co. Ltd. v. Green Star S/S Co.; on motion to set.
" 14, " " " 2180, Tahua Thang Jien et al. v. American Express Co.; on motion for bill of particulars; submitted.
" 14, " " " 1861, Luk Hop Company v. American Express Co.; on motion to set.
" 14, " " " 2207, U. S. v. Hanson; plea of not guilty.

(Before the Commissioner)

May 10, 1923, Cause No. 2181, In re alleged insanity of Arthur C. Harralson; testimony taken of Dr. T. B. Dunn, J. T. Wright, Wm. Van Buskirk; submitted to jury.
" 12, " " " 2205, U. S. v. Chatom; plea of guilty.
" 12, " " " 2160, Garner Quelch & Co. v. F. C. Craig; testimony taken of H. Quelch.
" 14, " " " 2208, U. S. v. Anderson; plea of guilty.
" 15, " " " 2213, U. S. v. Lucas; testimony taken of Zau Shin and Chen Chang, and defendant; submitted.

HARRY B. CAMPBELL, PLAINTIFF, vs. HENRY GRUENBAUM AND SONN BROTHERS IMPORT & EXPORT CO., INC., DEFENDANTS

(Cause No. 1764; decided October 26, 1922.)

SYLLABUS

(By the Court)

1. **Contracts:** PRIOR REPRESENTATIONS affecting the subject matter of a subsequent written contract between parties are merged therein and it is presumed to contain the whole agreement.
2. ID.: ID.: This rule cannot be evaded by suing on the representations and ignoring the contract.
3. **Fraud.** Mere exaggerations or predictions as to future events are usually insufficient to constitute actionable fraud.
4. **Evidence.** Where the declarant had a motive to misrepresent, his declaration cannot be received as one against interest.

Messrs. Williams, Franklin & Faison, by Mr. Franklin, for plaintiff.
Messrs. Schuhl & Schoenfeld, by Mr. Schuhl, for defendant.

LOBINGIER, J.:

The parties to this cause entered into the following agreement:

"Mr. H. B. Campbell,
Present.
Dear Sir:—

We hereby engage you to act as Manager of our Shanghai Office in conjunction with Mr. James MacDonell, effective April 1st, 1922, at a salary of Taels 1050.00 per month and bonus as carried by separate agreement. Should either party desire to terminate this agreement, sixty days notice shall be accepted.

Very truly yours,
SONN BROTHERS IMPORT & EXPORT CO.,
Accepted: (Sgd.) Henry Gruenebaum
(Sgd.) H. B. Campbell MANAGING DIRECTOR."

The plaintiff assumed his duties on the date named in the contract and served for one month after which, apparently by mutual agreement, the arrangment was terminated, plaintiff received his full salary for the month during which he served and for two months covering the period of notice, and thereupon signed a receipt "in full settlement of the above account." He continued for a time to work on a commission basis for defendant's Shanghai office but the latter meanwhile went into liquidation (pp. 60, 61) and on June 2, plaintiff brought this action claiming damages in the sum of Taels 25,000.00 based upon certain alleged representations which he claims were false and fraudulent and which induced him to leave his former position to accept this. He testifies (pp. 33, 49) that the principal inducement was a representation by defendant Gruenebaum that plaintiff was to have full liberty to buy and sell for his new employer without interference by the home office. This representation is claimed to have been made before the contract was entered into but it will be seen that the latter contains no mention of it. On the contrary, by its express terms plaintiff was to act only "in conjunction with Mr. James McDonell." Now the rule is that when a contract is once entered into

> "all previous negotiations and agreements with reference to the subject matter are presumed to have been merged in the written contract and the whole engagement of the parties and the extent of their undertaking is presumed to have been reduced to writing." [1]

1. Corpus Juris XXII, 1100, 1102. Cf. XVII Id. 475,669,714.

Judgments and Orders:

May 10, 1923, Cause No. 2189, U. S. v. Tinsman; dismissed.

" 10, " " " 2154, L. E. Osburn v. Asia Banking Corporation; order on stipulation.

" 14, " " " 2067, Adams v. Adams; order on stipulation.

" 14, " " " 1927, Chang Ming Liang v. L. D. Kearny; dismissed.

" 14, " " " 2118, McPherson v. McPherson; order on stipulation.

" 15, " " " 2180, Tshua Thang Jien et al. v. American Express Co; order on motion.

(By the Commissioner)

May 12, 1923, Cause No. 2205, U. S. v. Chatom; assessed costs.

" 12, " " " 2160, Garner Quelch & Co. v. F. C. Craig; judgment for plaintiff.

" 14, " " " 2208, U. S. v. Anderson; sentence.

" 15, " " " 2213, U. S. v. Lucas; bound over to the U. S. Court for China.

Assignments for Hearing:

June 12, 1923, 9:30 a.m., Cause No. 1351, Nanyang Bros. Tobacco Co. v. Green Srar S/S Co.

Miscellaneous Filings:

May 9, 1923, Cause No. 2180, Tshua Thang Jien et al. v. American Express Company; motion for bill of particulars.

" 10, " " " 2192, Chinese Merchants' Bank v. Far East Trading Co.; alias summons issued.

" 10, " " " 2193, Chinese Merchants' Bank v. Far East Trading Co.; alias summons issued.

" 10, " " " 2196, Chinese Merchants' Bank v. Far East Trading Co.; alias summons issued.

" 10, " " " 1506, Fur and Wool Trading Co. (D. Biedermann) Ltd. v. Andersen, Meyer & Co. Ltd.; plaintiff's brief.

" 10, " " " 1544, Emil S. Fischer v. Charles Stone; plaintiff's reply brief.

" 10, " " " 1861, Luk Hop Company v. American Express Co.; motion to set.

" 10, " " " 2140, In re Susie May Forrest's will; bond of administrator; surety's submission to jurisdiction; oath of administrator.

" 10, " " " 2095, Olivier & Co. v. The Kearny Co. et al.; praecipe for execution; writ of execution issued.

" 10, " " " 2181, In re alleged insanity of Arthur C. Harralson; notice to jurors; oath of jurors; verdict.

" 11, " " " 2205, U. S. v. Chatom; complaint.

" 11, " " " 2178, Asia Butchery Co. v. L. Slegman; marshal's return of summons.

" 11, " " " 2020, Russo-Asiatic Bank v. Max Wulfsohn & Co.; answer.

The rule is elementary and has already been applied by this Court.[2] Plaintiff seeks to escape its force by urging that he sues not on the contract but independently thereof. But if this theory were accepted it would seem possible to nullify the rule in almost any case. Here is a representation which, according to plaintiff's claim clearly forms "part of the previous negotiations and agreements." Under the rule above stated it would "merge in the written contract"—i. e., unless it appeared therein it is to be absolutely discarded. Yet if plaintiff is allowed to recover damages on account of its breach or falsity it is clearly not discarded but given full effect.

It is of course true that fraud in the making of a contract vitiates it and justifies its rescission. But plaintiff does not really claim fraud in the making of the contract. On the contrary he testifies (pp. 26, 27) that defendant Gruenebaum left it to him to prepare the original draft of the agreement, that said defendant afterward changed it in some particulars and that plaintiff then signed it voluntarily and with full understanding of its terms. True, he says that the inducement was fraudulent, i. e., that the representation above referred to and others were not carried out, but it was perfectly apparent to plaintiff when he read the contract that none of these was included and that he was making an agreement entirely different from the one which he claims to have relied on in leaving his former employment. If he chose to do this he cannot claim that he has been defrauded nor can he claim the benefit of terms which, tho discussed, were never included in the written contract. It is conceded that

2. Meier v. Arkell & Douglas, I Extraterritorial Cases 906; in re Fobes Assignment, Id., 951-952.

In the United States Court for China

PAUL MARTIN, Plaintiff. | Cause No. 2161

vs. | Civil No. 775

LOUISE MARTIN, Defendant. | SUMMONS

The President of the United States of America

To the United States Marshal for China and his Deputies—

GREETING:

You are hereby commanded to serve this Summons and a copy of the Petition in the above entitled action upon the defendant—

Louise Martin,

if found within the jurisdiction of this Court and to notify her to be and appear before this Court on or before the sixtieth day after service hereof to file her written answer on oath.

(SEAL) WITNESS the HONORABLE CHARLES S. LOBINGIER, Judge of the United States Court for China, at Shanghai, China, April 14, 1923.

W. A. CHAPMAN

Clerk.

Excerpt from Regulations, Section 8: On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his written answer as required.

May 11, 1923, Cause No. 2118, McPherson v. McPherson; answer.

" 11, " " " 2192, Chinese Merchants' Bank Ltd. v. The Far East Trading Co.; marshal's return of alias summons.

" 11, " " " 2193, Chinese Merchants' Bank Ltd. v. The Far East Trading Co.; marshal's return of alias summons.

" 11, " " " 2196, Chinese Merchants' Bank Ltd. v. The Far East Trading Co.; marshal's return of alias summons.

" 11, " " " 2206, Shanghai Hotels Limited v. A. P. Pattison; petition; summons issued.

" 11, " " " 2201, Estate of Rapheal J. J. Solomon v. The Filipino Club; answer.

" 11, " " " 2140, In re Susie May Forrest's will; letters of administration.

" 12, " " " 1861, Luk Hop Company v. American Express Co.; amended answer.

" 12, " " " 1544, Emil S. Fischer v. Charles Stone; first intervenor's reply brief.

" 14, " " " 2067, Adams v. Adams stipulation.

" 14, " " " 2208, U. S. v. Anderson; complaint.

" 14, " " " 2207, U. S. v. Hanson; information.

" 14, " " " 2209, Yok Sang v. L. Slegman; petition; summons issued.

" 14, " " " 2210, L. Samaracq and R. Fermus v. Asia Banking Corporation; complaint; summons issued.

" 14, " " " 2211, Tung Mao Lin and Wu Yu Feng v. North China Cold Storage Co.; complaint; summons issued.

" 14, " " " 2179, N. C. Young v. American Trading Company; motion for bill of particulars.

" 14, " " " 1544, Emil S. Fischer v. Charles Stone; second intervenor's reply brief.

" 14, " " " 2042, In re Charles L. Coltman's will; inventory.

" 14, " " " 2212, S. H. Li v. M. I. Greenstone; petition; summons issued.

" 14, " " " 2213, U. S. v. Lucas; complaint.

" 15, " " " 2214, In re application of Russell Bates Shue Chen for admission to the bar; application.

" 15, " " " 2209, Yok Sang v. L. Slegman; Marshal's return of summons.

" 15, " " " 2210, L. Samaracq and R. Fermus v. Asia Banking Corporation; Marshal's return of summons.

" 15, " " " 2215, Shanghai Municipal Council v. G. E. Young; petition; sumons issued.

he could not avail himself of these directly by a suit on the contract and it seems to us that he is equally precluded from claiming their benefits indirectly by suing for failure to carry out representations.

Again, the bulk of the representations to which plaintiff refers relate to the Shanghai office of the defendant company. That business conditions in the said office were bad is conceded and in fact was made known to plaintiff himself by correspondence preceding the execution of the contract. Thus on September 8, 1921, nearly seven months before such execution, defendant Gruenebaum wrote to plaintiff (Exhibit B) "So far it has been a terrible year. We have hardly done any business and lost considerable money in South America." It is also conceded (p. 40) that plaintiff was shown a trial balance of the Shanghai office, and he admits (pp. 40,48, cf. p. 65) that he could have gone over the books but had no desire to. Indeed plaintiff explicitly says (pp. 8,38) that he was not relying on the Shanghai office in his expectations of profit but on the New York office concerning which, he further states, (p. 52) Gruenebaum made no particular representations and of which also plaintiff admits (p. 48) that he has not "the slightest knowledge." It is elementary that for fraud to be actionable it must be relied upon[3] and it is very evident from plaintiff's own testimony (p. 38) not only that he did not rely, in making his contract, upon any representations relating exclusively to the Shanghai office but that no representations were made at all concerning the condition of the office upon which he did rely.

3. Honigsberg v. Jones, I Extraterritorial Cases, 994 quoting Cyc. XX, 13.

(To be continued next week)

In the United States Court for China

C. HERBERT WEBB, Plaintiff,

—v.—

MIGNONNE WEBB, Defendant.

Cause No. 2190
Civil No. 790
SUMMONS

The President of the United States of America

to the United States Marshal for China and his Deputies:

GREETING:

You are hereby commanded to serve this Summons and a copy of the Petition in the above entitled action upon the defendant—

Mignonne Webb

if found within the jurisdiction of this Court and to notify her to be and appear before this Court on or before the sixtieth day after service hereof to file her written answer on oath.

(SEAL) WITNESS the HONORABLE CHARLES S. LOBINGIER, Judge of the United States Court for China, at Shanghai, China, April 30, 1923.

W. A. CHAPMAN
Clerk.

Excerpt from Regulations, Section 8: On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his written answer as required.

Shanghai-Nanking Railway Abridged Time Table.

Shanghai North to Nanking—Up (Main Line) **Nanking to Shanghai North—Down**

STATIONS	Local	Fast R.	Local	3rd & 4th Local	Express R.	3rd & 4th	Local	Fast R.	Local	Fast Local	Local	Local	Night Express R. S.
Shanghai North d.		7.00	7.15	7.35	9.30	9.50	12.10	12.30	15.25	17.15	17.45	19.35	23.30
Nansiang ... ... d.		7.28	7.45	8.03	—	10.31	12.41	12.58	16.01	17.47	18.15	20.05	0.02
Soochow ... ... d.		8.59		9.41	11.14	12.53		14.43	18.24	19.39			1.39
Wusih ... ... d.	7.00	9.59		10.44	12.02	14.12		15.38	19.34	20.36			2.38
Changchow ... d.	8.14	10.56		11.41	12.49	15.28		16.38		21.38			3.42
Tanyang ... ... d.	9.30	11.52			13.38	16.28		17.38					—
Chinkiang ... d.	10.31	12.49			14.22	17.34		18.33					5.34
Nanking ... ... a.	12.30	14.21			15.43	19.35		20.02					7.20
Pukow ... ... d.					17.05								9.30
Hsuchowfu ... d.					1.16	T.P.L.						T.P.L.	19.40
Tsinanfu ... ... d.					9.38	II day						II day	6.00
Tientsin Central a.					18.05								15.25
Do. d.					18.15								16.16
Tientsin East ... a.					18.25	P.M.L.							—
Do. d.					18.55							P.M.L.	—
Peking ... ... a.					22.06								19.15

STATIONS	Local	Fast Local	Local	Local	Fast R.	3rd & 4th Local	3rd & 4th	Fast R.	Local	Local	Express R.	Local	Night Express R. S.
Peking ... ... d.											10.15		5.50
Tientsin East ... p.											11.35	P.M.L.	—
Do. d.										P.M.L.	14.00		—
Tientsin Central a.											14.10		9.14
Do. d.											14.20		10.00
Tsinanfu ... ... d.										T.P.L.	22.21	T.P.L.	19.43
Hsuchowfu ... d.										II day	6.11	II day	5.28
Pukow ... ... a.											14.30		16.15
Nanking ... ... d.					7.40		8.10	11.05			15.50	16.15	23.00
Chinkiang ... d.							10.25	12.54			17.29	18.27	0.52
Tanyang ... ... d.					9.57		11.21	13.36			18.03	19.26	—
Changchow ... d.			7.10		10.59	12.00	12.44	14.32			18.57	20.46	2.41
Wusih ... ... d.		7.20	8.22		11.59	13.02	14.07	15.33			19.43	21.52	3.53
Soochow ... ... d.		8.21	9.39		12.54	14.02	15.23	16.31			20.32		4.58
Nansiang ... ... d.	8.15	10.33	11.34	13.00	14.27	16.03	17.45	18.18	18.40	20.35	—		6.25
Shanghai North a.	8.42	11.00	12.05	13.30	14.55	16.30	18.20	18.45	19.13	21.05	22.00		6.50

Woosung Forts to Shanghai North—Up (Branch Line) **Shanghai North to Woosung Forts—Down**

														•													•
Woosung Forts d.	6.45	8.15	9.40	11.05	12.30	13.55	15.20	16.45	18.10	19.35	21.00	22.25	23.50	1.15	Shanghai North d.	6.00	7.30	9.00	10.25	11.50	13.15	14.40	16.05	17.30	18.55	20.20	21.45	23.10	0.35
Kiangwan ... d.	7.10	8.40	10.05	11.31	12.55	14.20	15.46	17.10	18.35	20.00	21.25	22.50	0.15	1.40	Tientungan ... d.	6.05	7.35	9.05	10.30	11.55	13.20	14.45	16.10	17.35	19.00	20.25	21.50	23.15	0.40
Tientungan ... d.	7.16	8.46	10.11	11.37	13.01	14.26	15.52	17.16	18.41	20.06	21.31	22.56	0.21	1.46	Kiangwan ... d.	6.12	7.42	9.12	10.37	12.02	13.27	14.52	16.17	17.42	19.07	20.32	21.57	23.22	0.47
Shanghai North a.	7.20	8.50	10.15	11.41	13.05	14.30	15.56	17.20	18.45	20.10	21.35	23.00	0.25	1.50	Woosung Forts a.	6.35	8.06	9.35	11.00	12.25	13.50	15.15	16.40	18.05	19.30	20.55	22.20	23.45	1.10

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* These additional trains run each Saturday and Sunday

Shanghai-Hangchow-Ningpo Railway Abridged Time Table.

Shanghai North to Zahkou—Down (Main Line) **Zahkou to Shanghai North—Up**

STATIONS	Local	Express R.	2nd 3rd & 4th	Fast R.	Local	Local	Night Express R.
Shanghai North ... dep.	..	8.00	9.00	13.20	15.45	..	19.15
Jessfield ... dep.	..	8.15	9.16	13.36	16.05	..	19.30
Siccawei ... dep.	..	8.21	9.23	13.43	16.13	..	19.36
L'hwa Junction ... dep.	..	8.35	9.40	14.00	16.30	..	19.50
Shanghai South ... dep.	..	*8.05*	*9.05*	*13.25*	*15.45*	*18.00*	*19.20*
Lunghwa Junction ... arr.	..	*8.23*	*9.25*	*13.45*	*16.03*	*18.18*	*19.38*
Sungkiang ... dep.	..	9.14	10.50	14.46	17.42	..	20.29
Kashai ... dep.	..	10.01	11.57	15.43	18.47	..	21.16
Kashing ... dep.	7.25	10.31	12.40	16.16	—	..	21.46
Yehsah ... dep.	8 19	11.02	13.32	16.56	....	..	22.17
Changan ... dep.	9.25	11.36	14.23	17.35	....	..	22.51
Hangchow ... dep.	11.00	12.30	16.00	18.50	....	..	23.45
Zahkou ... arr.	11.25	12.45	16.30	19.10	....	..	24.00

STATIONS	Local	Local	Express R.	Local	2nd 3rd & 4th	Fast R.	Local	Night Express R.
Zahkou ... d.	..	..	7.15	..	8.40	13.20	15.35	18.00
Hangchow ... d.	..	..	7.40	..	9.15	13.50	16.10	18.24
Changan ... d.	..	..	8.29	..	10.45	15.00	17.45	19.1*
Yehsah ... d.	..	..	9.00	..	11.53	15.37	18.45	19.45
Kashing ... d.	..	7.30	9.30	..	12.50	16.24	..	20.24
Kashai ... d.	..	8.02	10.02	..	13.26	16.52	..	20.46
Sungkiang ... d.	..	9.15	10.52	..	14.42	17.49	..	21.42
Lunghwa Junction ... d.	*8.37*	*10.37*	*11.37*	*13.57*	*16.07*	*18.42*	..	*22.28*
Shanghai South ... a.	*8.55*	*10.55*	*11.55*	*14.15*	*16 25*	*19.00*	..	*22.15*
L'hwa Junction ... d.	..	10.34	11.32	..	15.50	18.40	..	22.22
Siccawei ... d.	..	10.43	11.40	..	15.59	18.49	..	22.30
Jessfield ... d.	..	10.51	11.46	..	16.06	18.56	..	22.36
Shanghai North ... a.	..	11.05	12.00	..	16.20	19.10	..	22.50

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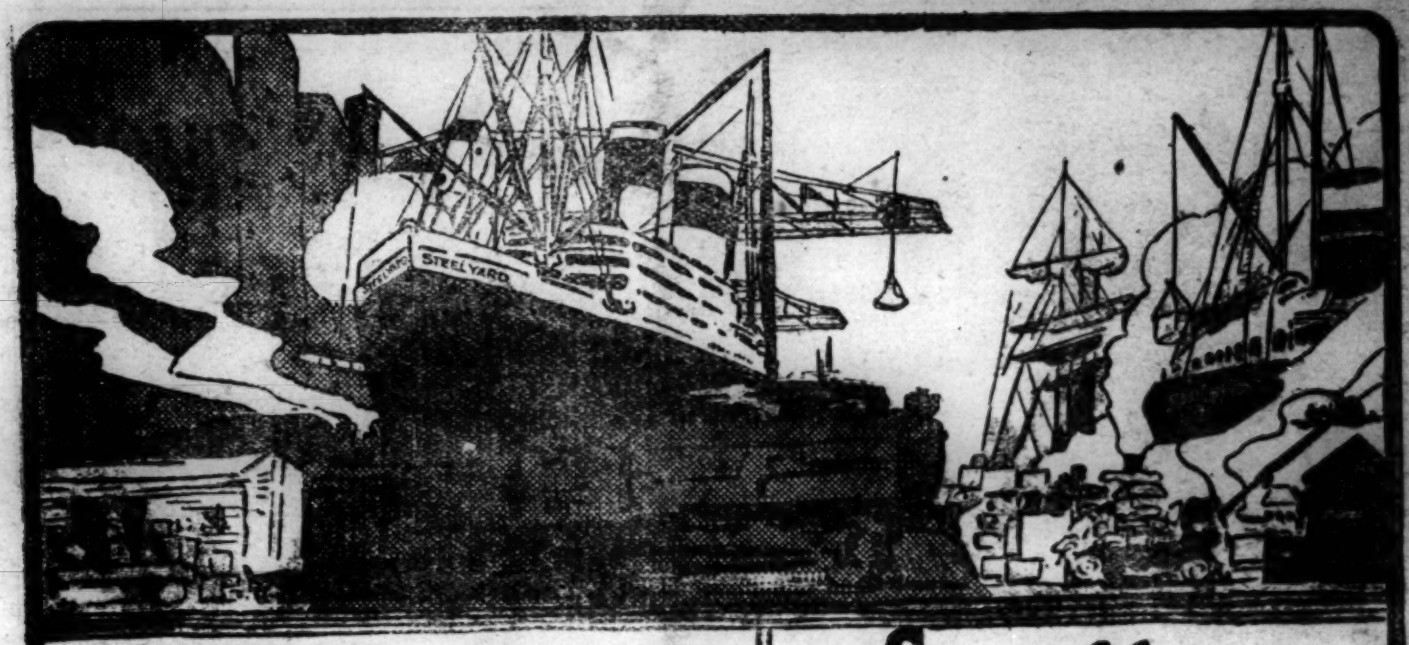

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